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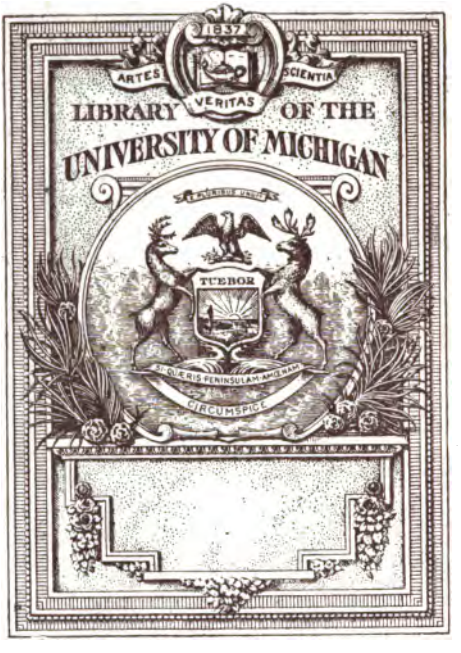
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1918

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EXPLANATORY NOTE

Since the commission-manager plan was put into operation in Sumter, S. C., in 1913, there has been an increasing interest in this form of municipal government, and a constantly-growing number of cities have adopted the plan. This handbook, true to the purpose of the series, presents a brief, a selected bibliography, and reprints of important articles, setting forth the theory and principles of the new plan, arguments and experience both in favor and against it, illustrative charts, and extracts from city manager charters and statutes. The bulk of the material was selected in 1917 but publication was unavoidably delayed, and the volume has been brought down to date by the addition of references to recent articles to the bibliography, and the inclusion of additional reprints which will be found in the appendix.

E. M. P.

April 22, 1918.

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SELECTED ARTICLES ON THE CITY MANAGER PLAN OF GOVERNMENT

INTRODUCTION

The city manager plan, sometimes called the commission-manager plan, of municipal government provides for a single elective commission or council, having legislative and supervisory powers and contributing the element of popular representation to the city's government. The distinguishing feature of the plan is the city manager, an expert in municipal administration appointed by the commission and holding office at its pleasure. The manager is the executive head of a centralized and simplified administrative organization and controls the appointment and removal of all subordinates, subject to civil service restrictions. The position of city manager is open to non-residents and the salary is fixed by the commission at an amount which will enable the city to command the services of men of training and executive ability.

The germ of the American city manager idea was first developed in Staunton, Va., in 1908. The Virginia state constitution made the adoption of the commission plan impossible, but under the authority of Section 1038 of the Virginia Code, the city council passed an ordinance creating the office of general manager. This general manager was given power to take entire charge of the administration of the city departments, except those reserved to school, finance and auditing committees. Staunton's general manager has supervision of highways, parks, lights, water and corrections. He is the purchasing agent and financial advisor to the council. The police and fire departments are, however, under the control of the mayor. The general manager plan has been a distinct improvement and is now well established in Staunton, so well in fact that the editor of the Staunton Daily Leader wrote recently, in reply to an inquiry

regarding local opposition to the city manager plan: "The city manager plan has been in operation here so long, that we have forgotten about it. Why, years ago, we even ceased to protest when some fake writer arose and claimed to be the originator of the city manager idea. The last answer to one of these impostors appeared in the Leader three years ago."

In 1911, a bill was introduced in the New York legislature which received much publicity. This bill set forth the, so-called, "Lockport plan" to combine the single elective board feature of the commission plan with the appointive manager idea of Staunton, Va. The resulting organization was similar to that of a private business corporation with its board of directors and general manager. The council consisted of four members and a mayor elected by the people. The council appointed the manager. The manager appointed and removed administrative officers not otherwise provided for in the charter. The Lockport plan embodied the initiative, referendum, and recall. Power to pass ordinances, demand reports of the city manager, and to exercise limited supervision over departments was conferred upon the council. The city manager's powers and duties made him administrative head of the city, his tenure of office was at the pleasure of the council, he was to execute law and ordinances of the council, he was to appoint and direct the work of all subordinate administrative officers, make reports and recommendations to the council. This, the first complete commission-manager proposal did not pass the legislature, but it gave considerable publicity to the city manager idea.

On June 12, 1912, the people of Sumter, S. C., voted on an option between the commission plan and the city manager plan, adopting the manager plan by a majority of three to one. The plan put into operation the following year was the first complete commission-manager system in the United States. Hickory, N. C., and Morgantown, N. C., became interested in the city manager plan and charters were drafted which varied slightly from the Lockport proposal. Both plans went into effect in May, 1913. The spread of the city manager movement was rapid. Dayton, Ohio, had been through a long siege of wasteful administration. The Chamber of Commerce, and the Bureau of Municipal Research urged the city manager idea. Their work, well under way, was interrupted by the flood. When the first board of

charter commissioners was elected, the ticket nominated by the citizens committee and pledged to the city manager plan was elected. The commission drafted the Dayton city manager charter which was adopted on August 12, 1913.

Springfield, Ohio, adopted a charter following closely the Dayton model, on August 26, 1913. In October, 1913, the commission-manager plan was adopted in La Grande, Ore., and Phoenix, Ariz. On November 18, 1913, Amarillo, Texas, abandoned the commission plan for the city manager plan. In December, 1913, city manager charters were adopted in La Grande, Ore., and Phoenix, Ariz., and in January of the next year, Montrose, Colo., and Collinsville, Okla., followed, making seven cities in which city manager plan went into effect during that month. During the last three years approximately forty-five cities have adopted city-manager charters and as many other cities and towns have created the position of general manager by ordinance and brought about as much centralization of powers and reorganization of administrative departments as is possible without special legislation or constitutional amendment. Grand Rapids, Mich., population 112,000, is the largest city except Dayton, to adopt the plan, which goes into effect there in July, 1917. At present the city manager movement is occupying the attention of charter revision committees in a large number of cities.

Optional charter laws permitting cities to adopt by popular vote the city manager plan as an option to other simplified forms of government have been passed in many states. The Ohio optional charter law was passed in 1913, giving cities the option of the federal, commission, and commission-manager plans. Similar laws were passed in 1914 in New York and Virginia and in 1915 in Iowa and Massachusetts. City manager bills were introduced in several state legislatures in 1917, and have been passed in Kansas, Montana, South Dakota, North Carolina, and Idaho. The Indiana bill died in the senate committee, and bills are pending in New Jersey and Nebraska.

However, not all campaigns for the adoption of city manager charter have been successful. At least a dozen cities have refused for one reason or another to accept the new manager principle. Among these are Berkeley and Pasadena, California, where the issue was between the retention of a commission form which had proved fairly successful and the adoption of the man-

ager amendment. In Springfield, Mass., the federal plan was preferred to the city manager plan on Nov. 7, 1916. The existing government, which has been in operation for sixty years, is the unwieldy bicameral type, but the issue was not drawn between this and the city manager plan. Kansas City, Mo., defeated a proposed city manager charter on March 6, 1917. The charter was opposed by the saloon organization, by a minority of the members of the board of freeholders which drafted the charter, and also by the mayor and his organization. The mayor has promised to appoint a new charter board. Other cities which have defeated city manager proposals are Iowa City, Iowa, Arkansas City, Kan., Norman, Okla., Ypsilanti, Mich., Visalia, Cal., Durham, Charlotte and Wilmington, N. C., and Tiffin, Ohio.

A few small municipalities which had created the post of city manager by ordinance have found the arrangement unsatisfactory. River Forest, Ill., discontinued the manager's office in 1916. Titusville, Pa., employed a manager for two years, then discontinued the office and resumed the commission plan. Tucson, Ariz., operating under the old charter, without specific law employed a manager at a salary of $4,000 during the years 1915 and 1916, but discontinued the office in January, 1917. No city which has adopted a complete city manager charter has yet abandoned it.

The recent proposal of county-manager charters for San Diego and Napa counties in California is an interesting extension of the city manager principle. Both charters were defeated, but the fact that such progressive proposals were made brightens the outlook for simplified and efficient county government. The government of the county under the proposed San Diego charter was to be vested in a board of nine supervisors, nominated from districts, but elected at large for terms of four years, five elected one year and four two years later. The county manager was to be chosen by the supervisors from a list submitted by the civil service commission. In the manager was centralized the administration of county affairs. He was to act as purchasing agent, road commissioner and surveyor. The appointing power of the manager would have been large, inasmuch as appointments were for the most part to be made by the supervisors. But for most purposes the manager would have had actual control of the administration. The county manager plan is included in the pro-

gram of the government associations of Alameda, Cal., and of New York state.

Cases involving the constitutionality of city manager charters have been twice decided upon, both decisions being in favor of the new plan. In Kopczynski v. Schriber (161 N. W., 238) the validity of the charter of Grand Rapids, Mich., was brought into question on the ground that after creating the office of mayor, it conferred certain powers on the city manager in conflict with those of the mayor. The court decided that the charter in so far as it provided for the election by the council of one of their own members as mayor, did not conflict with the home rule act requiring the election of a mayor, since the word election is not limited in its meaning simply to a vote of the people. They decided that the city charter did not conflict with the constitution and was not invalid in its entirety. The supreme court of Kansas affirmed the constitutionality of the recent city manager law of that state in State v. Bentley.

The City Managers' Association has already held three conventions. The first held in Springfield, Ohio, December 2, 3 and 4, 1914, was small but enthusiastic. The association was organized with ten charter members. The second convention was held in Dayton, Ohio, November 15-17, 1915, and the third in Springfield, Mass., November 20-23, 1916. The proceedings of these conventions have been published and are interesting as showing the spirit of public service which characterizes the new city manager's profession. The president of the City Managers' Association is O. E. Carr, city manager of Niagara Falls, N. Y., and the secretary is W. L. Miller, City Manager of St. Augustine, Fla.

The spread of the city manager plan has given a great impetus to the efforts being put forth by colleges and universities to train men for the public service. The University of Michigan has outlined a course of study and field work leading to the master's degree in municipal administration. Columbia University, the University of Texas and others are likewise enlarging opportunities in this field. Not only have opportunities for study of municipal science increased. but the new city manager's profession is gradually acquiring standards and ethics of its own. The practice of importing managers from out of town, and of transferring of managers from one city to another are established

facts which tend to promote the growth of the new profession.

In this handbook are gathered together extracts from city manager charters and statutes, discussions of the theory and principles of the new plan, arguments favorable to the plan, a resume of high spots of accomplishment as told by city managers' reports, arguments in opposition to the plan and the stories of cities in which the adoption of the plan has been accompanied by less favorable results.

E. C. MABIE.

DEFINITIONS OF THE CITY MANAGER PLAN

I.

A single elective board (commission) representative, supervisory and legislative in function, the members giving only part time to municipal work and receiving nominal salaries or none. An appointive chief executive (city manager) hired by the board from anywhere in the country and holding office at the pleasure of the board. The manager appoints and controls the remaining city employes, subject to adequate civil service provisions.—*By National Municipal League's Committee on Commission Form of Government.*

II.

The city manager is an appointive officer selected, by reason of his peculiar knowledge of municipal affairs and because of his administrative ability to fill the position of chief executive of a vast public corporation, with little restriction upon his power, and with only one command—produce results.—*H. A. Toulmin, Jr., in "The City Manager."*

III.

Any person who is the administrative head of a municipality appointed by its legislative body."—*Constitution of The City Managers' Association.*

IV.

1. *Unification of Powers.*

All corporate powers to be vested in a single group of elective officers, constituting a council or commission.

a. **The unification of powers is essential in order to avoid confusion of responsibility. There should be no other elected officers in the city government. Every power of the city should be possessed by the council. This makes it impossible for the council to lay the blame on any other officer if things go wrong. If there is no one who can hinder the council in its work the council is robbed of every possible excuse and is obliged to "face the music" in times of public criticism.**

Unification of powers is a basic merit of the commission plan and must not be departed from in the city manager plan.

2. *The Short Ballot.*

The council to be elected in one of the following ways:

(*a*) at large (if the number of members to be chosen at any one time is five or less).

(*b*) by wards.

(*c*) by proportional representation.

The need for the short ballot is based on the familiar psychological difficulty which the average voter will have in remembering more than a short list of candidates. Experience with non-partisan ballots and party primary elections has demonstrated that when the number of offices is five or less, each voter will pick out his own ticket to suit himself and thus express a genuine personal opinion with every mark of his pencil. On the other hand, if the number to be chosen exceeds five, the average voter will accept some ready made ticket devised for him by a civic club or a party machine, which has been promoted and advertised *en bloc*. The real selection and control of public officers then shifts from the voters to the makers of the tickets, who thus acquire an influence that is capable of great abuse.

In a large city of upwards of 150,000, the mere size of the electoral unit acts as a discouragement to independent candidates of moderate means and gives advantage to organized standing political organizations, inasmuch as the task of improvising an equally effective impromptu vote-getting organization is too much for the resources of the individual candidate. In large cities, therefore, ward election or proportional representation is advised, as a genuinely free and open competition for office is more likely to ensue.

Ward elections have a bad name in this country, yet they are highly successful in England, the difference being that ward offices in this country have been characteristically unimportant and obscure. In the city manager plan, however, a member of council elected from the ward will be an exceedingly important officer, one of the supreme directors of the city, in fact, and not overshadowed by a mayor or any other city officer in the campaign. A ward election under these circumstances will be a different matter than in the past.

Proportional representation on the so-called Hare plan is in successful operation abroad, although it is as yet unfamiliar to Americans. It is undoubtedly the most scientific method for electing a truly representative board. A city which under the ordinary system might elect a board of nine Republicans would, under proportional representation, elect a board of four Republicans, two Democrats, two Progressives and one Socialist, each party securing the election of its favorite candidates in the order of their strength with their party voters, each party having just the proportion of members that it is entitled to.

The advantage of proportional representation is its fairness to all hands and the stability which it gives to the city government by preventing sharp changes in control due to mere fluctuating majorities. Proportional representation is impracticable in the commission plan, but the city manager plan which makes the council a representative body opens the way for it in America. It is a favorite proposal of the Socialists, who see that under this system they would poll their fullest strength without losing the support

of those sympathizers who now hate to waste their vote on a party that now has no immediate chance of victory.

3. Executive Organization.

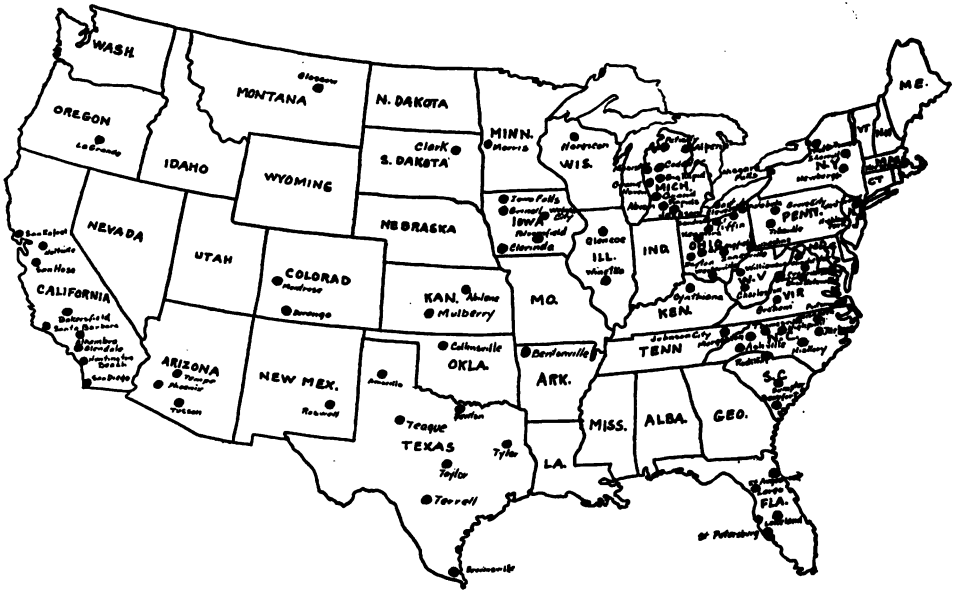
Non-political executive functions delegated to an official appointed by the commission to serve during their pleasure, to be known as the "city manager" or by other appropriate title; position of city manager to be open to non-residents; salary of city manager to be determined by the council and variable from time to time; the city manager's executive powers to include appointment and removal and general control of all subordinates, subject to such restrictions (e.g., civil service regulation and audit) as may be necessary to prevent abuses of power without diffusing responsibility.

The city manager must be strictly the servant of the council, with no independence. The council must have absolute control of him and not be able to say "it is the city manager's fault and we can't overrule him." The city manager must not have any fixed tenure or any protection against swift removal, save possibly the right to an explanation of the reasons for his discharge and an opportunity to present his defense.

While the manager will be expected to make all the subordinate appointments, there is no safe way of preventing the council from having and exercising an opinion regarding appointments. On the other hand, in the hope of keeping questions of patronage away from the council, it would be advisable not to require confirmation of appointments by the council, or in fact demand in the charter any specific action by the council in such matters. The feature of the Dayton plan which provides that the manager may be recalled by the people is of dubious value, since it interferes with the accountability of the council and gives opportunity for public hostility to be directed at the manager rather than at the elected board. The council should not be given this opportunity to let the manager be the scapegoat. Neither should the council be given this opportunity to justify their retention of an unsatisfactory manager by saying that the people must have approved this attitude, since they did not recall the manager.

—R. S. Childs in Beard's "Digest of Short Ballot Charters."

CITIES AND TOWNS IN THE UNITED STATES UNDER CITY-MANAGER GOVERNMENT
Corrected to November 1, 1916



First City-Managered City, Staunton, Va., 1908.
Number of States having City-Managered Cities, 28.

Number of City-Managered Cities and Towns, 92.
Total Population under City-Manager Plan, 1,468,849.

Reprinted by courtesy of the Springfield Bureau of Municipal Research.

MUNICIPALITIES OPERATING UNDER CITY MANAGER CHARTERS AND STATUTES*

City	Population	Date in Effect	Manager	Manager's Salary
Alameda, Cal.	23,383	Mr., 1917		
Albion, Mich.	5,833	Nov., 1915	Roland Remley ...	$3,000
Alpena, Mich.	13,181	Apr., 1916	H. G. Roby.....	2,500
Amarillo, Texas	17,366	Nov., 1913	M. H. Hardin.....	3,000
Ashtabula, Ohio	20,988	Jan., 1916	J. W. Prine.....	2,500
Bakersfield, Cal.	12,727	Apr., 1915	Wallace M. Morgan	3,000
Big Rapids, Mich.....	5,200	May, 1914	Walter Willets	1,200
Brownsville, Texas ..	12,736	Oct., 1915	F. H. Williams....	3,000
Cadillac, Mich.	9,673	Mar., 1914	T. V. Stephens....	2,500
Collinsville, Okla.	1,324	Feb., 1914	Claude Thorpe	1,500
Dayton, Ohio	140,000	Jan., 1914	H. M. Waite.....	12,500
Denton, Texas	6,500	Apr., 1914	S. G. Gary.....	2,000
Durango, Colo.	6,000	Mr., 1915	A. F. Hood.....	1,800
East Cleveland, Ohio	12,564	Jan., 1918		
Elizabeth City, N. C.	9,501	Apr., 1915	J. C. Commander..	1,800
Grand Rapids, Mich..	125,759	Mr., 1917	G. C. Cummin....	....
Hickory, N. C.....	5,200	May, 1913	J. W. Bellew.....	1,500
Hot Springs, Ark.....	14,434	May, 1917		
Jackson, Mich.	34,370	Jan., 1915	A. D. M. Hall....	....
La Grande, Ore.....	4,843	Jan., 1914	Fred Currey	2,400
Lakeland, Fla.	3,719	May, 1914	D. F. McLeod.....	2,100
Manistee, Mich.	12,381	May, 1914	C. E. Ruger.....	2,000
Montrose, Colo.	3,252	Jan., 1914	J. E. McDaniel....	1,800
Morgantown, N. C...	2,712	May, 1913	C. T. Cain.....	1,200
Newburgh, N. Y.....	29,313	Jan., 1916	Henry Wilson	5,000
Niagara Falls, N. Y..	36,240	Jan., 1916	O. E. Carr.....	5,000
Petoskey, Mich.	4,778	Apr., 1916	Robert D. Tripp..	2,000
Phoenix, Ariz.	17,798	Apr., 1914	R. A. Craig.....	5,000
Portsmouth, Va.	38,610	Jan., 1917	T. B. Shertzer....	4,000
San Angelo, Texas...	10,321	Apr., 1916	E. L. Wells, Jr....	2,500
Sandusky, Ohio	20,160	Jan., 1916	Kenneth B. Ward.	3,600
San Jose, Cal.....	37,994	July, 1916	Thomas H. Reed...	6,000
Santa Barbara, Cal...	11,659	Jan., 1918		
Sherman, Texas	13,488	Apr., 1915	O. J. S. Ellingson.	2,400
Springfield, Ohio....	50,804	June, 1914	E. Ashburner.....	6,000
St. Augustine, Fla...	5,494	July, 1915	W. L. Miller.....	3,600
Sumter, S. C.....	9,392	Jan., 1913	E. S. Shuler.....	3,600
Taylor, Texas.....	5,314	Apr., 1914	W. E. Dozier.....	2,600
Tyler, Texas.....	11,629	Apr., 1915	Clay Hight	3,000
Watertown, N. Y.....	29,384	Jan., 1918		
Webster City, Iowa..	5,834	Oct., 1915	H. G. Vollmer.....	1,800
Westerville, Ohio ...	1,903	Jan., 1916	R. S. Blinn.....	1,500
Wheeling, W. Va....	43,097	July, 1917	G. Nagle	....
Wichita, Kan.	67,847	July, 1917	Louis R. Ash.....	10,000
Yoakum, Texas	4,657			

* A list of cities that have adopted the city manager plan since this and the following table were prepared will be found in the Appendix. Up-to-date lists are published from time to time in the Yearbook of the City Managers Association and other sources.

MUNICIPALITIES OPERATING UNDER A MODIFIED FORM OF CITY MANAGER PLAN[1]

[1] Note.—The organization of these municipalities lacks one or more of the essential features of the city manager plan. In many the manager's office is created by ordinance instead of by charter. In some the town organization is retained.—Editor.

City or Town	Population	Date in Effect	Manager	Manager's Salary
Abilene, Kan.	4,267	June, 1913	Kenyon Riddle	$1,200[2]
Alhambra, Cal.	8,000	July, 1915	Charles E. Hewes	2,400
Beaufort, S. C.	3,500	Apr., 1915	Harrison G. Otis	2,400
Bentonville, Ark.	3,600	Sept., 1915	Edgar Masoner	1,500
Bloomfield, Iowa	2,280	July, 1912	R. C. Bristow	680
Bristol, Pa.	10,390	Jan., 1917	John Roberts	2,000[3]
Charleston, W. Va.	28,822	May, 1915	B. A. Wise	3,300
Charlottesville, Va.	7,000	Aug., 1913	H. A. Stecker	....[3]
Clarinda, Iowa	4,478	Apr., 1913	T. A. Wilson	1,700
Clark, S. D.	1,200	May, 1912	J. E. Smith	960[4]
Cynthiana, Ky.	4,000	Dec., 1915	Daniel Durbin	900
Fredericksburg, Va.	5,874	Sept., 1912	R. S. Royer	3,000[5]
Glasgow, Mont.	5,000	July, 1916	C. H. Blitmay	....[5]
Glencoe, Ill.	3,100	Jan., 1914	H. H. Sherer	2,500
Glendale, Cal.	8,500	May, 1914	Thomas W. Watson	1,800
Graham, Va.	4,000	May, 1916	P. C. Nowlin	1,500
Grand Haven, Mich.	5,856	Apr., 1915	I. R. Elliston	1,800
Grinnell, Iowa	5,061	Sept., 1916	Sam. Crosby	2,400
Grove City, Pa.	4,000	Ayr., 1916	H. B. McCune	1,500[3]
Highland Park, Texas.	....	1917	M. Costello	....[3]
High Point, N. C.	12,353	May, 1915	Archer Lyon	2,500
Holtville, Cal.	1,000		E. L. Kenny	....
Horicon, Wis.	2,200	Apr., 1914	Robert H. Polzin	1,000
Huntington Beach, Cal	2,000	July, 1916	G. W. Spencer	2,400[3]
Iowa Falls, Iowa	3,716	Apr., 1914	E. L. Marriage	1,500[3]
Johnson City, Tenn.	10,534	July, 1909	P. F. McDonald	1,800
Largo, Fla.	800	June, 1913	G. J. Perkins	900
Morris, Minn.	2,500	Jan., 1914	S. A. Siverts	1,700[7]
Mulberry, Kan.	1,662	Oct., 1914	John W. Marion	1,000
Norwood, Mass.	10,977	Jan., 1915	C. A. Bingham	3,000[8]
Rock Hill, S. C.	7,216	Jan., 1915	J. G. Barnwell	2,500[8]
Roswell, N. Mex.	6,172	May, 1914	A. G. Jaffa	1,800
San Diego, Cal.	51,115	May, 1915	F. M. Lockwood	6,000[9]
San Rafael, Cal.	5,934	Aug., 1915	F. J. Boland	2,400
Sherrill, N. Y.	1,500	May, 1916	C. A. Brown	....
Staunton, Va.	11,485	Jan., 1908	S. D. Holsinger	1,800
Tarboro, N. C.	5,000	Apr., 1916	J. H. Jacocks	1,500
Teague, Texas	5,000	Jan., 1915	E. B. St. Clair	1,680
Tempe, Ariz.	3,000	1915	M. C. Browning	....
Terrell, Texas	7,050	1915		
Thomasville, N. C.	5,500	May, 1915	Frank D. Jones	1,200
Westmount, Quebec	18,200	Apr., 1913	G. W. Thompson	....[3]
Williamson, W. Va.	5,600	Jan., 1916	O. H. Booton	1,800
Winchester, Va.	7,000	May, 1916	Arthur M. Field	2,000[3]
Winnetka, Ill.	5,500	Jan., 1915	R. L. Fitzgerald	2,400[10]

[1] Ordinance. Manager works only part time.
[2] Manager appointed under three years' contract as experiment.
[3] Ordinance.
[4] See new S. D. law of 1917.
[5] Ordinance providing for city engineer and manager.
[6] Resigned April 1, 1917.
[7] Limited to engineering.
[8] Town government.
[9] Manager of operation of harbor, streets, buildings, sewers, water system and city engineer.
[10] Business manager entered into contract with city. Duties not defined.

CITY MANAGER STATUTES

DIGEST OF NEW YORK CITY MANAGER STATUTE[1]

Provisions applicable to each plan

[NOTE: This act permits any city of the second and third class to adopt one of seven simplified forms of government. Plan C is the city-manager form.]

Governing Body:

Title: Council.

Terms of Office: Four years. Partial renewal biennially.

Mayor

In addition to other powers granted under the specific plans, the mayor has custody of the seal of the city and is required to authenticate the acts of the council and all instruments authorized to be authenticated; exercises other powers conferred by law upon the mayor of the city, if not inconsistent with this act.

Appointments

Civil Service: The state law applies. Civil service commission appointed by the mayor or council.

City Clerk: Appointed by the council.

Judicial Officers

If elected before adoption of this act they continue to be elected, but if formerly appointive, will be appointed by the city council under Plans A, B and C, or by the Mayor under Plans D, E and F.

Boards of Education

Not affected by this act; controlled in all respects by the charter or other law operative before adoption of this act.

[1] An act of the Legislature, approved April 18, 1914, applicable to any city of the second or third class, when adopted at a general or special election called upon petition of ten per centum of the voters. Based upon vote cast for mayor at last previous election not over 2,000 signatures required in any city. Reprinted from "Loose Leaf Digest of Short Ballot Charters."

Election Provisions

The general laws of the state apply. These require the holding of partisan primaries, with provision for independent nominations. The ballot is of the so-called "Massachusetts" type, with the party emblem opposite the name of each candidate.

Initiative

No provisions.

Referendum

No provisions.

Recall

No provisions.

Plan C. (Limited Council with Appointive City Manager).

Governing Body

Number: Five, including mayor, in third class cities; seven, including mayor in second class cities; all elected at large.

Salaries

Population less than 10,000: three hundred dollars.
Population 10,000 to 25,000: five hundred dollars.
Population 25,000 to 50,000; seven hundred dollars.
Population 50,000 to 100,000: one thousand dollars.
Population over 100,000: twelve hundred dollars.

Administration—City Manager

Administrative and executive powers vested in a city manager, appointed by the council, to hold office during their pleasure. The duties of the city manager are to (1) be the administrative head of the city government; (2) see that within the city the laws of the state and the ordinances, resolutions and by-laws of the council are faithfully executed; (3) attend all meetings of the council, and recommend for adoption such measures as he shall deem expedient; (4) make reports to the council from time to time upon the affairs of the city, keep the council fully advised of the city's financial condition, and its future financial needs: (5) prepare and submit to the council a tentative budget for the next fiscal year.

Appointments

The council determines upon the number and the powers, duties and compensation of officers and employees, but appointments to all offices and employments are made by the city manager.

Mayor

Is required to preside at all meetings of the council; is official head of the city for the service of civil process, and under the military law, and for all ceremonial purposes; has no veto power.

DIGEST OF VIRGINIA CITY MANAGER STATUTE[1]

III. CITY MANAGER PLAN.

Governing Body

Number: Population less than 10,000—three or five, elected at large.

Population over 10,000—five to eleven.

Terms of Office: Four years.

City Manager

Administrative and executive powers. The administrative and executive powers of the city, including the power of appointment of officers and employees, are vested in an official to be known as the city manager, who shall be appointed by the council at its first meeting, or as soon thereafter as practicable, and hold office during the pleasure of the council; he shall receive such compensation as shall be fixed by the council by ordinance.

General Duties of the City Manager.

1. The city manager shall see that within the city the laws, ordinances, resolutions and by-laws of the council are faithfully executed.

[1] An act of the legislature, approved March 13, 1914, applicable to every city having less than 100,000 inhabitants, when adopted at a special election called upon petition of 25 per cent of the electors qualified to vote at the last preceding municipal election. Reprinted from "Loose-leaf Digest of Short Ballot Charters."

2. Attend all meetings of the council, and recommend for adoption such measures as he shall deem expedient.

3. Make reports to the council from time to time upon the affairs of the city; keep the council fully advised of the city's financial condition, and its future financial needs.

4. Prepare and submit to the council a tentative budget for the next fiscal year.

5. He shall perform such other duties as may be prescribed by the council not in conflict with the foregoing, and shall be bonded as the council may deem necessary.

(See also "Appointments").

Appointments

Manner: By the city manager, subject to removal by him (except those in the financial, legal and judicial departments and the clerical and other attendants of the council).

Under this plan the council selects one of its own number to preside over its meetings, who becomes, thereupon, *ex-officio* mayor.

Provisions Applicable to Each Plan

Elections

The general state law providing for partisan elections only, applies.

Initiative, Referendum, and Recall

No provisions.

CITY MANAGER CHARTERS

EXCERPTS FROM A MODEL CITY MANAGER CHARTER[1]

The Council

SEC. 1. *Creation of Council.* There is hereby created a council which shall have full power and authority, except as herein otherwise provided, to exercise all the powers conferred upon the city.

This model is assumed to be a home rule charter based upon provisions for constitutional municipal home rule. When this or a similar charter is made available for cities by statute it is desirable that a comprehensive grant of powers be included in the act itself. Otherwise cities securing such a charter will have only the powers enumerated in the general law of the state and be subject to all the restrictions and inconveniences arising from that method of granting powers. It is suggested, therefore, that the following grant of powers be included in any such special statutory charter or optional charter law. The changes of language necessary to adapt it to a special statutory charter readily suggest themselves:

SECTION —. Cities organized under this act shall have and are hereby granted authority to exercise all powers relating to their municipal affairs; and no enumeration of powers in any law shall be deemed to restrict the general grant of authority hereby conferred.

The following shall be deemed to be a part of the powers conferred upon cities by this section:

(a) To levy, assess and collect taxes and to borrow money within the limits prescribed by general law; and to levy and collect special assessments for benefits conferred.

(b) To furnish all local public services; to purchase, hire, construct, own, maintain and operate or lease local public utilities; to acquire, by condemnation or otherwise, within or without the corporate limits, property necessary for any such purposes, subject to restrictions imposed by general law for the protection of other communities; and to grant local public utility franchises and regulate the exercise thereof.

(c) To make local public improvements and to acquire, by condemnation or otherwise, property within its corporate limits necessary for such improvements; and also to acquire an excess over that needed for any such improvement, and to sell or lease such excess property with restrictions, in order to protect and preserve the improvement.

(d) To issue and sell bonds on the security of any such excess property, or of any public utility owned by the city, or of the revenues thereof, or of both, including in the case of a public utility, if deemed desirable by the city, a franchise stating the terms upon which, in case of foreclosure, the purchaser may operate such utility.

(e) To organize and administer public schools and libraries, subject to the general laws establishing a standard of education for the state.

(f) To adopt and enforce within their limits local police, sanitary and other similar regulations not in conflict with general laws.

Except as otherwise provided in this act the council shall have authority to determine by whom and in what manner the powers granted by this section shall be exercised.

[1] Prepared by the Committee on Municipal Program of the National Municipal League, March 15, 1916.

SEC. 2. *Composition of Council and Vacancies.* The council shall consist of members,[2] who shall be elected on a general ticket from the city at large and shall serve for a term of four years from days after their election, and shall be subject to recall as hereinafter provided. Vacancies in the council, except as otherwise provided herein, shall be filled for the unexpired term by a majority vote of the remaining members.[3]

SEC. 3. *Powers of Council.* The council shall be the judge of the election and qualification of its own members, subject to review by the courts. Any member of council who shall have been convicted of a crime while in office shall thereby forfeit his office. Neither the council nor any of its committees or members shall dictate the appointment of any person to office or employment by the city manager, or in any manner interfere with the city manager or prevent him from exercising his own judgment in the appointment of officers and employes in the administrative service. Except for the purpose of inquiry the council and its members shall deal with the administrative service solely through the city manager, and neither the council nor any member thereof shall give orders to any of the subordinates of the city manager, either publicly or privately. Any such dictation, prevention, orders, or other interference on the part of a member of council with the administration of the city shall be deemed to be a misdemeanor, and upon conviction any member so convicted shall be subject to a fine not exceeding $ or imprisonment for a term not exceeding months, or both, and to removal from office in the discretion of the court.

SEC. 4. *Election by Councils. Rules. Quorum.* The council shall elect one of its members as chairman, who shall be en-

[2] At least five and not more than twenty-five, the precise number being determined by the size of the city. If more than five are to be elected at one time, provision must be made to have the members after the first election chosen in rotation. For example, a council of fifteen with a six-year term, five to be elected every two years. In cities of more than 100,000 the city should be divided into large districts, and the size of the district should never exceed 50,000 population, except in cities over 1,000,000. The purpose of this limitation is to keep the size of the district down to such a point that genuinely free competition for public office will prevail, the expense of a thorough canvass being not too great for an independent candidate who may lack the support of a permanent political machine.

If proportional representation is used, it should be so arranged that the quota needed to elect a candidate shall not exceed 10,000 votes.

[3] In determining whether a salary shall be paid, and if so how much, it must be borne in mind that the duties of the council are supervisory; it being the object of this charter to place the administrative affairs of the city in the hands of the city manager.

titled mayor; also a city manager, a clerk and a civil service board, but no member of the council shall be chosen as manager, or as a member of the civil service commission. The council may determine its own rules of procedure, may punish its own members for misconduct and may compel attendance of members. A majority of all the members of the council shall constitute a quorum to do business, but a smaller number may adjourn from time to time.

SEC. 5. *Organization and Procedure of Council.* At 8 o'clock P.M. on the first Monday in (month) following a regular municipal election, the council shall meet at the usual place for holding meetings at which time the newly elected councilmen shall assume the duties of their office. Thereafter the council shall meet at such time and place as may be prescribed by ordinance. The meetings of the council and all sessions of committees of the council shall be public. The council shall act only by ordinance or resolution; and all ordinances and resolutions, except ordinances making appropriations, shall be confined to one subject which shall be clearly expressed in the title. The ordinances making appropriations shall be confined to the subject of appropriations. No ordinance shall be passed until it has been read on two separate days or the requirement of readings on two separate days has been dispensed with by a four-fifths vote of the members of the council. The final reading shall be in full, unless the measure shall have been printed and a copy thereof furnished to each member prior to such reading. The ayes and noes shall be taken upon the passage of all ordinances or resolutions and entered upon the journal of the proceedings of the council, and every ordinance or resolution shall require on final passage the affirmative vote of a majority of all the members. No member shall be excused from voting except on matters involving the consideration of his own official conduct, or where his financial interests are involved. Provision shall be made for the printing and publication in full of every ordinance within ten days after its final passage.

SEC. 6. *Powers of Mayor.* The mayor shall preside at meetings of the council and perform such other duties consistent with his office as may be imposed by the council. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil processes, and by the governor for military purposes. In time of public

danger or emergency he may, with the consent of the council, take command of the police and maintain order and enforce the laws. During his absence or disability his duties shall be performed by another member appointed by the council.

Administrative Service: The City Manager

SEC. 34. *The City Manager.* The city manager shall be the chief executive officer of the city.[1] He shall be chosen by the council solely on the basis of his executive and administrative qualifications. The choice shall not be limited to inhabitants of the city or state.[2]

The city manager shall receive a compensation of not less than a year.[3] He shall be appointed for an indefinite period. He shall be removable by the council. If removed at any time after six months he may demand written charges and a public hearing on the same before the council prior to the date on which his final removal shall take effect, but during such hearing the council may suspend him from office. During the absence or disability of the city manager the council shall designate some properly qualified person to perform the duties of the office.

SEC. 35. *Powers and Duties of the City Manager.* The city manager shall be responsible to the council for the proper administration of all affairs of the city, and to that end shall make all appointments, except as otherwise provided in this charter.

[1] While the manager plan herein proposed is probably the most advanced and scientific form of municipal organization yet suggested, it is of the highest importance that any city adopting the plan should not omit any of the other principal features accompanying it in this draft. Without these provisions the manager plan, owing to its concentration of executive and administrative authority in the manager, might prove to be susceptible to perversion in the interest of a boss in cities with an undeveloped and inactive public opinion, because the members of council might then be elected upon a state pledged beforehand to the selection of some particular candidate as manager.

It is also true that no form of government can in and of itself produce good results. The most that any plan can do is to provide an organization which lends itself to efficient action, and which at the same time places in the hands of the electorate simple and effective means for controlling their government in their own interests. The evils in city government due to defective and undemocratic organization can thus be removed; beyond that, results can only be achieved through the growth of an active and enlightened public opinion.

[2] The German plan of publicly advertising for a burgomeister and heads of departments and selecting the ones who best show the qualifications demanded has been highly successful.

[3] The minimum salary would vary according to the size of the city and the responsibilities of the office. Dayton, Ohio, a city of 117,000 inhabitants, pays its city manager a salary of $12,500 per year.

Except when the council is considering his removal, he shall be entitled to be present at all meetings of the council and of its committees and to take part in their discussion.

SEC 36. *Annual Budget.* The city manager shall prepare and submit to the council the annual budget after receiving estimates made by the directors of the departments.

ADMINISTRATION DEPARTMENTS

SEC. 37. *Administrative Departments Created.* There shall be six administrative departments as follows: Law, health, works and utilities, safety and welfare, education[1] and finance, the functions of which shall be prescribed by the council except as herein otherwise provided. The council shall fix all salaries, which in the classified service shall be uniform for each grade, as established by the civil service commission, and the council may, by a three-fourths vote of its entire membership, create new departments, combine or abolish existing departments or establish temporary departments for special work.[2]

SEC. 38. *Duties of Directors of Departments.* At the head of each department there shall be a director. Each director shall be chosen on the basis of his general executive and administrative experience and ability and of his education, training and experience in the class of work which he is to administer. The director of the department of law shall be a lawyer; of health, a sanitary engineer or a member of the medical profession; of

[1] In places where the school system works well under a separate organization it had better not be disturbed, and in such cases the department of education will generally have to be omitted.

[2] The number of departments may be increased or diminished according to the population or other local needs of a given city. Where it is increased it will probably be desirable to divide the department of safety and welfare into two departments, and in some cases to divide the department of safety into police and fire departments respectively. The department of utilities may be separated from department of public works when (1) such utilities are privately owned, so that their administration is chiefly regulative; and (2) in large cities where the department of works and utilities would make too large a department or where it seemed desirable to put all the revenue-producing industries in one department. In reducing the number of departments, those of law, health and finance might be cut out in the order named, either combining them with remaining departments (as health with welfare and safety) or making them directly subordinate to the city manager.

The number of departments can be kept down in the larger cities and reduced in the smaller ones by (1) the creation of department bureaus and (2) where so complex an organization as a bureau is not needed by having the proper official report directly to the city manager instead of to a department head.

The principle underlying the formation of departments and bureaus should be twofold: (1) functional grouping and (2) tasks which demand the time and capacity of the highest grade of administrative heads—i.e., one first-class full-time man to head each department.

works, an engineer; of education, a teacher by profession; of safety, and welfare, a man who has had administrative experience; and of finance, a man who has had experience in banking, accounting or other financial matters; or in each case the man must have rendered active service in the same department in this or some other city.

Each director shall be appointed by the city manager and may be removed by him at any time; but in case of such removal, if the director so demands, written charges must be preferred by the city manager, and the director shall be given a public hearing before the order of removal is made final. The charges and the director's reply thereto shall be filed with the clerk of council.

SEC. 39. *Responsibility of Directors of Departments.* The directors of departments shall be immediately responsible to the city managers for the administration of their departments and their advice in writing may be required by him on all matters affecting their departments. They shall prepare departmental estimates, which shall be open to public inspection, and they shall make all other reports and recommendations concerning their departments at stated intervals or when requested by the city manager.

SEC. 40. *Powers of Subpoena.* The council, the city manager and any officer or board authorized by them, or either of them, shall have power to make investigations as to city affairs, to subpoena witnesses, administer oaths and compel the production of books and papers.

The model charter also contains provision for recall, initiative, referendum, civil service, and alternative sections relating to nomination and election methods, including proportional representation and preferential voting.

TYPICAL CITY MANAGER CHARTER OF SPRINGFIELD, OHIO[1]

We, the people of the city of Springfield, Ohio, in order to obtain the benefits of local self-government, to encourage more direct and business-like methods in the transaction of our mu-

[1] The charter of Springfield, Ohio, is one of the best drawn of the city manager charters. It is in accord with the home-rule provisions of the Ohio constitution.

nicipal affairs, and otherwise to promote our common welfare, do adopt the following charter of our city:

Powers of the City

SEC. 1. The inhabitants of the city of Springfield, Ohio, as its limits now are or hereafter may be established, shall continue to be a body politic and corporate, to be known and designated as "The City of Springfield, Ohio," and as such shall have perpetual succession. It shall have and may exercise all powers which now or hereafter it would be competent for this charter specifically to enumerate, as fully and completely as though said powers were specifically enumerated herein; and no enumeration of particular powers by this charter shall be held to be exclusive.

The City Commission

SEC. 2. *Creation and Powers.* There is hereby created a City Commission to consist of five electors of the city elected at large, who shall hold office for a term of four years beginning January first after their election, excepting that the two members elected at the first election by the lowest vote shall hold office for the term of two years only.

All the powers of the city, except such as are vested in the Board of Education and in the Judge of the Police Court, and except as otherwise provided by this charter or by the constitution of the state, are hereby vested in the city commission; and, except as otherwise prescribed by this charter or by the constitution of the state, the city commission may by ordinance or resolution prescribe the manner in which any power of the city shall be exercised. In the absence of such provision as to any power, such power shall be exercised in the manner now or hereafter prescribed by the general laws of the state applicable to municipalities.

SEC. 3. *Qualifications of Members.* Each member of the city commission, for at least five years immediately prior to his election shall have been, and during his term of office shall continue to be, a resident of the city of Springfield, Ohio, and shall have the qualifications of an elector therein. He shall not hold any other public office or employment except that of notary public or member of the state militia.

No candidate for the office of city commissioner shall make any personal canvass among the voters to secure his nomination

or election, or the nomination or election by any other candidate at the same election, whether for municipal, county, state or other office. He may cause notice of his candidacy to be published in the newspapers, and may procure the circulation of a petition for his nomination; but he shall not personally circulate such petition, nor by writing or otherwise solicit any one to support him or vote for him. He shall not expend or promise any money, office, employment or other thing of value to secure a nomination or election; but he may answer such inquiries as may be put to him and may declare his position publicly upon matters of public interest, either by addressing public meetings or by making written statements for newspaper publication or general circulation. A violation of these provisions, or any of them, shall disqualify him from holding the office, if elected; and the person receiving the next highest number of votes, who has observed the foregoing conditions, shall be entitled to the office.

SEC. 4. *Vacancies.* Any vacancy in the city commission, except as otherwise provided in this charter, shall be filled by the remaining members by the vote of at least three. If the term of the office so filled does not expire for two years or more after the next regular municipal election following such vacancy, and such vacancy occurs in time to permit it, an additional commissioner, shall then be elected; and, of those commissioners elected at such election the one having the lowest vote shall succeed such appointee and serve the unexpired term. In the event of more than one vacancy to be so filled by election, the same provisions shall apply.

If, by reason of resignations, deaths, failure to elect, or other circumstance, three or more vacancies exist or occur at the same time in said city commission, or if said commission fails to fill any vacancy within ten days after the same occurs, then the trustees of the sinking fund and the members of the civil service commission shall convene in joint session, and by a majority vote of the members of the joint board forthwith make such number of appointments as may be necessary to constitute a city commission of three qualified members, which three members shall at once proceed to fill the remaining vacanies as hereinbefore provided. The clerk of the trustees of the sinking fund shall act as the clerk of the two boards in joint session, and shall cause his certificate of their action to be entered on the journal of the city commission.

SEC. 5. *Salary and Bonds.* Each member of the city commission shall receive, except as hereinafter provided, a salary of five hundred dollars a year payable in equal monthly installments; and shall give bond in the sum of ten thousand dollars with some bonding company regularly accredited to do business in the state of Ohio as surety thereof, to the approval of the sinking fund trustees; and the premium of each such bond shall be paid by the city.

SEC. 6. *President.* The city commission shall at the time of organizing elect one of its members as president and another as vice-president for terms of two years. In case the members of the city commission, within five days after the time herein fixed for their organization meeting, are unable to agree upon a president or a vice-president of such commission, then a president, or a vice-president, or both, as the occasion may require, shall be selected from all the members of such commission by lot conducted by the city solicitor; who shall certify the result of such lot upon the journal of the commission.

The president shall preside at all meetings of the commission and perform such other duties consistent with his office as may be imposed by it; and he shall have a voice and vote in its proceedings, but no veto. He may use the title of mayor in any case in which the execution of legal instruments of writing or other necessity arising from the general law of the state so requires but this shall not be construed as conferring upon him the administrative or judicial functions of a mayor under the general laws of the state.

The president of the city commission shall be recognized as the official head of the city by the courts for the purpose of serving civil process, by the governor for the purpose of military law, and for all ceremonial purposes. He may take command of the police and govern the city by proclamation during times of public danger or emergency, and he shall himself be the judge of what constitutes such public danger or emergency. The powers and duties of the president shall be such as are conferred upon him by this charter, together with such others as are conferred by the city commission in pursuance of the provisions of this charter, and no others.

If the president be temporarily absent from the city, or become temporarily disabled from any cause, his duties shall be performed during such absence or disability by the vice-presi-

dent. In the absence of both president and vice-president the other members of the city commission shall select one of their number to perform the duties of president.

SEC. 7. *Clerk and Employees.* The city commission shall appoint a clerk who shall be known as the Clerk of the City Commission, and who shall keep records and perform such other duties as may be prescribed by this charter or by the commission. It may also appoint and employ such other officers and employees of its body as are necessary.

SEC. 8. *Time of Meeting.* At eight o'clock p.m. on the second day of January following a regular municipal election, or if such day be Sunday, on the day following, the city commission shall meet at the usual place for holding the meetings of the legislative body of the city, at which time the newly elected commissioners shall assume the duties of their office. Thereafter the city commission shall meet at such times as may be prescribed by ordinance or resolution, except that it shall meet regularly not less than one evening each week. The president, any two members of the commission, or the city manager, may call special meetings of the commission upon at least twelve hours written notice to each member, served personally or left at his usual place of residence. All meetings of the city commission shall be public and any citizen shall have access to the minutes and records thereof at all reasonable times. The commission shall determine its own rules and order of business and shall keep a journal of its proceedings.

SEC. 9. *Penalty for Absence.* For each absence of a city commissioner from a regular meeting of the commission, there shall be deducted a sum equal to two per cent of the annual salary of such member. Absence from five consecutive regular meetings shall operate to vacate the seat of a member unless the absence is excused by the commission by resolution setting forth such excuse and entered upon the journal.

SEC. 10. *Legislative Procedure.* A majority of all the members elected to the city commission shall be a quorum to do business, but a less number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The affirmative vote of at least three of the members shall be necessary to adopt any ordinance or resolution; and the vote upon the passage of all ordinances and resolutions shall be taken by "yeas" and "nays" and entered upon the journal.

SEC. 11. *Ordinance Enactment.* Each proposed ordinance or resolution shall be introduced in written or printed form, and shall not contain more than one subject which shall be clearly stated in the title; but general appropriation ordinances may contain the various subjects and accounts for which moneys are to be appropriated. The enacting clause of all ordinances passed by the city commission shall be, "Be it ordained by the City Commission of the City of Springfield, Ohio." The enacting clause of all ordinances submitted to popular election by the initiative shall be: "Be it ordained by the people of the City of Springfield, Ohio."

No ordinance unless it be an emergency measure, shall be passed until it has been read at two regular meetings not less than one week apart, or the requirement of such reading has been dispensed with by an affirmative vote of four of the members of the commission. No ordinance or resolution or section thereof shall be revised or amended, unless the new ordinance or resolution contain the entire ordinance or resolution or section revised or amended; and the original ordinance, resolution, section or sections so amended shall be repealed.

SEC. 12. *Emergency Measures.* All ordinances and resolutions passed by the city commission shall be in effect from and after thirty days from the date of their passage, except that the city commission may, by an affirmative vote of four of its members, pass emergency measures to take effect at the time indicated therein.

An emergency measure is an ordinance or resolution for the immediate preservation of the public peace, property, health, or safety, or providing for the usual daily operation of a municipal department, in which the emergency is set forth and defined in a preamble thereto. Ordinances appropriating money may be passed as emergency measures, but no measure making a grant, renewal or extension of a franchise or other special privilege, or regulating the rate to be charged for its service by any public utility, shall ever be so passed.

SEC. 13. *Record and Publication.* Every ordinance or resolution upon its final passage shall be recorded in a book kept for that purpose, and shall be authenticated by the signatures of the presiding officer and the clerk of the commission. Every ordinance of a general or permanent nature shall be published once within ten days after its final passage in the manner hereinafter provided.

Resolutions and ordinances providing for public improvements, to pay the cost of which special assessments are to be made, need not be published; but within ten days after the passage of each a notice shall be published as follows, the same being in addition to the notice required by law to be served on the property owners.

As to the resolution declaring the necessity of the proposed improvement, a notice shall be published headed "Notice of Public Improvement," stating when the same was adopted by the city commission, and setting forth the general nature and the extent of such improvement, including any change of street grade that is to be made, what part of the cost thereof is to be assessed against the property to be especially benefited thereby, and when water, gas or other street connection must be made.

As to the ordinance determining to proceed with the improvement, a notice shall be published headed "Notice of Determination to Proceed with Public Improvement," stating when the city commission adopted the same, describing the character and extent of the improvement in general terms, and setting forth within what time assessments on property specially benefited may be paid in cash, and for what period and at what interest bonds will be issued for that portion of the assessment not so paid.

In regard to the ordinance to provide for the issue of bonds, a notice shall be published headed "Notice of Bond Issue for Public Improvement," stating when the city commission adopted the same, describing the improvement in general terms, and stating the total amount of bonds to be issued, in what denomination, when maturing, how to be dated and numbered, the rate of interest, when and where payable, and the lowest price at which any portion of such bonds not taken by the sinking fund of the city, or of the city school district, will be offered at public sale. Wherever practicable notices of the same character required to be published regarding separate improvements shall be combined into one notice under a single heading.

No resolution declaring it necessary to proceed with any public improvement shall be adopted until complete plans, specifications, profiles and estimates have been submitted to the city commission and been approved by it; and the same, or a copy thereof, shall thereafter remain on file in the office of the city engineer subject to inspection by the public.

SEC. 14. *Price and Mode of Publication.* All of the above

mentioned publications, as well as all other newspaper publications made by the city, shall be published in a newspaper or newspapers of general circulation in the municipality, in the body type of the paper and under head lines in eighteen point type, specifying the nature of the publication; and where legally permissible, such publication shall be made but once and in one newspaper only.

The newspaper carrying such publication shall be paid a price per inch of space used and the lowest and best rate offered, not exceeding that which it receives from regular commercial display advertisers for the quantity of space used. Whenever it may appear to the city commission that the rates offered by such newspapers are unfair, such other means of securing due publicity may be employed, in lieu of newspaper advertising, as the commission may by resolution determine.

City Manager

SEC. 5. *Appointment.* The city commission shall appoint a city manager who shall be the administrative head of the municipal government under the direction and supervision of the city commission, and who shall hold office at the pleasure of the city commission. He shall be appointed without regard to his political beliefs and need not be a resident of the city at the time of his appointment. During the absence or disability of the city manager the city commission may designate some properly qualified person to execute the functions of the office.

SEC. 16. *Powers and Duties.* The powers and duties of the city manager shall be:

(*a*) To see that the laws and ordinances are enforced.

(*b*) Except as herein provided, to appoint and remove all heads of departments, and all subordinate officers and employes of the city; all appointments to be upon merit and fitness alone, and in the classified service all appointments and removals to be subject to the civil service provisions of this charter.

(*c*) To exercise control over all departments and divisions created herein or that hereafter may be created by the commission.

(*d*) To see that all terms and conditions imposed in favor of the city or its inhabitants in any public utility franchise are faithfully kept and performed; and upon knowledge of any violation thereof to call the same to the attention of the city solicitor,

who is hereby required to take such steps as are necessary to enforce the same.

(*e*) To attend all meetings of the commission, with the right to take part in the discussions but having no vote.

(*f*) To recommend to the commission for adoption such measures as he may deem necessary or expedient.

(*g*) To act as budget commissioner and to keep the city commission fully advised as to the financial condition and needs of the city; and

(*h*) To perform such other duties as may be prescribed by this charter or be required of him by ordinance or resolution of the commission.

SEC. 17. *Head of Departments.* Excepting the departments of city solicitor, auditor, treasurer, sinking fund and civil service, and until otherwise provided by the city commission, any existing department now under the control of a special board, such as library, hospital and park, the city manager shall be the acting head of each and every department of the city until otherwise directed by the commission; but with the consent and approval of the commission, he may appoint a deputy or chief clerk to represent him in any department of which he is the acting head. No member of the city commission shall directly interfere with the conduct of any department, except at the express direction of the commission.

SEC. 18. *Platting Commissioner.* The city manager shall also be the platting commissioner of the city and he shall exercise the authority and discharge the duties of that office under the provisions of the general law of the state applicable thereto, except as the same may be modified by the city commission.

Administrative Officers and Departments

SEC. 19. *City Solicitor.* The city commission shall appoint a city solicitor who shall hold office at the pleasure of the commission. The city solicitor shall act as the legal adviser to, and attorney and counsel for, the municipality and all its officers in matters relating to their official duties. He shall prepare all contracts, bonds and other instruments in writing in which the municipality is concerned, and shall endorse on each his approval of the form and correctness thereof; and no contract with such municipality shall take effect until his approval is endorsed thereon. He or his assistants shall be the prosecutor or prosecu-

tors in any police or municipal court, and shall perform such other duties and have such assistants and clerks as the city commission may authorize. In addition to such duties he shall perform such other duties as may be required of him by the city commission, as well as such as may be required of city solicitors by the general laws of the state applicable to municipalities and not inconsistent with this charter or with any ordinance or resolution that may be passed by the city commission.

SEC. 20. *City Auditor.* The city commission shall appoint a city auditor who shall hold office at the pleasure of the commission. The city auditor shall issue all warrants for payments of money by the city. He shall keep an accurate account of all taxes and assessments, of all money due to, and all receipts and disbursements by, the municipality, of all its assets and liabilities, and of all appropriations made by the city commission. At the end of each fiscal year, and oftener if required by the city commission, he shall audit the accounts of the several departments and officers, and shall audit all other accounts in which the municipality is interested. He may prescribe the form of reports to be rendered to his department, and the method of keeping accounts by all other departments, and he shall require daily reports to be made to him by each department showing the receipt of all moneys by such department and the disposition thereof. Upon the death, resignation, removal or expiration of the term of any officer, the city auditor shall audit the accounts of such officer, and if such officer shall be found indebted to the municipality he shall immediately give notice thereof to the city commission, and the city solicitor; and the latter shall forthwith proceed to collect the same.

In addition to such duties the city auditor shall perform such other duties as may be required of him by the city commission, as well as such as may be required of city auditors by the general laws of the state applicable to municipalities and not inconsistent with this charter or with any ordinance or resolution that may be passed by the city commission.

SEC. 21. *City Treasurer.* The city commission shall appoint a city treasurer who shall hold office at the pleasure of the city commission. The office of city treasurer may be combined with that of clerk of the city commission or with any other office not inconsistent therewith. The city treasurer shall be the custodian of all moneys of the municipality, and shall keep and

preserve the same in such manner and in such place or places as shall be determined by the city commission. He shall pay out money only on warrants issued by the city auditor.

In addition to such duties he shall perform such other duties as may be required of him by the city commission as well as such as may be required of city treasurers by the general laws of the state applicable to municipalities and not inconsistent with this charter or with any ordinance or resolution that may be passed by the city commission.

SEC. 22. *Purchasing Agent.* The city commission shall designate some officer of the city, other than the auditor or treasurer, to act as its purchasing agent, by whom all purchases of supplies for the city shall be made, and who shall approve all vouchers for the payment of the same. Such purchasing agent shall also conduct all sales of personal property which the commission may authorize to be sold as having become unnecessary or unfit for the city's use.

All purchases and sales shall conform to such regulations as the commission may from time to time prescribe; but in either case, if an amount in excess of five hundred dollars is involved, opportunity for competition shall be given. Where purchases or sales are made on joint account of separate departments, the purchasing agent shall apportion the charge or credit to each department. He shall see to the delivery of supplies to each department, and take and retain the receipt of each department therefor. Until the city commission shall otherwise provide, the city manager of the city shall act as such purchasing agent.

SEC. 23. *Trustees of the Sinking Fund.* The board of trustees of the sinking fund as now organized and existing shall continue, and such board and all matters pertaining thereto shall be governed by the general laws of the state in effect January 1st, 1914, or thereafter enacted and applicable thereto; excepting that the members of said board shall serve without pecuniary compensation. The present members of said board shall continue to serve for their unexpired terms; but their successors shall be appointed, and vacancies in said board shall be filled, by the president of the city commission, with the consent of said commission entered upon its journal.

SEC. 24. *Civil Service.* The civil service commission as now organized and existing shall continue; and the civil service of the city, and such commission, and all matters pertaining thereto,

shall be governed by the general laws of the state in effect January 1st, 1914, or thereafter enacted, which are applicable thereto. The present members of said board shall continue to serve for their unexpired terms; but successors to present members shall be appointed and vacancies in said board shall be filled by the city commission, and the members of the civil service commission shall serve without pecuniary compensation.

SEC. 25. *Other Boards and Departments.* All other administrative departments in existence January 1st, 1914, shall continue until otherwise provided by the city commission, and all administrative boards in charge of any adimnistrative department of the city shall continue in office, and their successors shall be appointed as heretofore, excepting as other provision is made in this charter, or may hereafter be made by the city commission.

Excepting the officers, boards, commissions and departments hereinbefore specially mentioned and provided for, the city commission shall have power to establish, create, combine or abolish offices, boards, departments or divisions when in its opinion the proper administration of the business of the city so requires.

SEC. 26. *Advisory Boards.* The city commission at any time may appoint an advisory board or boards composed of citizens qualified to act in an advisory capacity to the city commission, the city manager or the head of any department, with respect to the conduct and management of any property, institution or public function of the city. The members of any such board shall serve without compensation for a time fixed in their appointment, or at the pleasure of the commission; and their duty shall be to consult and advise with such municipal officers and make written recommendations which shall become part of the records of the city.

SEC. 27. *Salaries and Bonds.* The city commission shall fix by ordinance the salary or rate of compensation of all officers and employes of the city entitled to compensation, other than their own; and may require any officer or employe to give a bond for the faithful performance of his duty, in such an amount as it may determine, and it may provide that the premium thereof shall be paid by the city.

SEC. 28. *General Disqualifications.* No member of the city commission, the city manager or any other officer or employe of the city, shall directly or indirectly be interested in any contract, job, work or service with or for the city; nor in the profits

or emoluments thereof, nor in the expenditure of any money on the part of the city other than his fixed compensation; and any contract with the city in which any such officer or employe is, or becomes, interested may be declared void by the city commission.

No member of the city commission, the city manager or other officer or employe of the city shall knowingly accept any gift, frank, free ticket, pass, reduced price or reduced rate of service from any person, firm or corporation operating a public utility or engaged in business of a public nature within the city, or from any person known to him to have, or to be endeavoring to secure, a contract with the city. But the provisions of this section shall not apply to the transportation of policemen or firemen in uniform or wearing their official badges, when the same is, or may be provided by ordinance.

SEC. 29. *Political Activity.* Neither the city manager, nor any person in the employ of the city under him shall take any active part in securing, or contribute any money toward, the nomination or election of any candidate or candidates for the office of city commissioner, excepting to answer such questions as may be put to him and as he may desire to answer.

SEC. 30. *Penalties.* The provisions of the two last preceding sections shall not be considered exclusive, but as in addition to any other provisions of the general law of the state applicable to the case; and a violation of any provisions of either of such sections shall subject the offender to removal from his office or employment, and to punishment by a fine of not exceeding one hundred dollars.

Appropriations

SEC. 31. *The Estimate.* The fiscal year of the city shall begin on the first day of January. On or before the first day of November of each year the city manager shall submit to the city commission an estimate of the expenditures and revenues of the city departments for the ensuing year. This estimate shall be compiled from detailed information obtained from the several departments on uniform blanks to be furnished by the city manager. The classification of the estimate of expenditures shall be as nearly uniform as possible for the main functional divisions of all departments, and shall give in parallel columns the following information;

(*a*) A detailed estimate of the expense of conducting each department as submitted by the department.

(*b*) Expenditures for corresponding items for the last two fiscal years.

(*c*) Expenditures for corresponding items for the current fiscal year, including adjustments due to transfers between appropriations plus an estimate of expenditures necessary to complete the current fiscal year.

(*d*) Amount of supplies and material on hand at the date of the preparation of the invoice.

(*e*) Increase or decrease of requests compared with the corresponding appropriations for the current year.

(*f*) Such other information as is required by the city commission or that the city manager may deem advisable to submit.

(*g*) The recommendation of the city manager as to the amounts to be appropriated with reasons therefore in such detail as the city commission may direct.

Sufficient copies of such estimate shall be prepared and submitted, that there may be copies on file in the office of the city commission for inspection by the public.

SEC. 32. *Appropriation Ordinance.* Upon receipt of such estimate the city commission shall prepare an appropriation ordinance but before finally acting upon such tentative appropriation the city commission shall fix a time and place for holding a public hearing upon the tentative appropriation, and shall give public notice of such hearing. The city commission shall not pass the appropriation ordinance until ten days after such public hearing

SEC. 33. *Transfer of Funds.* Upon request of the city manager the city commission may transfer any part of an unencumbered balance of an appropriation to a purpose or object for which the appropriation for the current year has proved insufficient, or may authorize a transfer to be made between items appropriated to the same office or department.

SEC. 34. *Unencumbered Balances.* At the close of each fiscal year the unencumbered balance of each appropriation shall revert to the respective fund from which it was appropriated and shall be subject to future appropriation. Any accruing revenue of the city, not appropriated as hereinbefore provided, and any balances at any time remaining after the purposes of the appropriation shall have been satisfied or abandoned, may from time to time be appropriated by the city commission to such uses as will not

conflict with any uses for which specifically such revenues accrued. No money shall be drawn from the treasury of the city, nor shall any obligation for the expenditure of money be incurred, except pursuant to the appropriations made by the city commission, but nothing in this or the preceding section shall be construed to authorize the application of revenue derived from a public utility of the city to any other purpose than that of the utility from which the same was derived.

Payments—Reports

SEC. 35. *Payment of Claims.* No warrant for the payment of any claim shall be issued by the city auditor until such claim shall have been approved by the head of the department for which the indebtedness was incurred and by the city manager, and such officers and their sureties shall be liable to the municipality for all loss or damage sustained by the municipality by reason of the corrupt approval of any such claim against the municipality. Whenever any claim shall be presented to the city auditor he shall have power to require evidence that the amount claimed is justly due and is in conformity to law and ordinance, and for that purpose he may summon before him any officer, agent, or employe, of any department of the municipality, or any other person, and examine him upon oath or affirmation relative thereto.

SEC. 36. *Certification of Funds.* No contract, agreement or other obligation involving the expenditure of money shall be entered into, nor shall any ordinance, resolution or order for the expenditure of money be passed by the city commission, or be authorized by any officer of the city, unless the city auditor shall first certify to the city commission or to the proper officer, as the case may be, that the money required for such contract, agreement, obligation or expenditure, is in the treasury, to the credit of the fund from which it is to be drawn, and not appropriated for any other purpose, which certificate shall be filed and immediately recorded. The sum so certified shall not thereafter be considered unappropriated until the city is discharged from the contract, agreement or obligation. The provisions of this section shall not apply to contracts or proceedings relating to improvements any part of the cost of which is to be paid by special assessments.

SEC. 37. *Money in the Fund.* All moneys actually in the treasury to the credit of the fund from which they are to be

drawn, and all moneys applicable to the payment of the obligation or appropriation involved that are anticipated to come into the treasury before the maturity of such contract, agreement, or obligation, from taxes, assessments, or license fees, or from sales of services, products or by-products of any city undertaking, and moneys to be derived from lawfully authorized bonds sold and in process of delivery, for the purposes of such certificate shall be deemed in the treasury to the credit of the appropriate fund and shall be subject to such certification.

SEC. 38. *Financial Reports.* The city commission shall have furnished them a monthly balance showing in detail all receipts and expenditures of the city for the preceding month; and the aggregate receipts and expenditures of each department shall be published by the city commission in such manner as to provide full publicity. At the end of each year the city commission shall have printed an annual report, in pamphlet form, giving a classified statement of all receipts, expenditures, assets and liabilities of the city; a detailed comparison of such receipts and expenditures with those of the year preceding; a summary of the city commission proceedings and summary of the operations of the administrative departments for the previous twelve months. A copy of this report shall be furnished the state bureau of accounting, the public library and to any citizen of the city who may apply therefor at the office of the clerk of the city commission.

Improvements—Contracts

SEC. 39. *Limitation of Assessments.* In levying special assessments to pay any part of the cost of any public work or improvement, the city commission shall not exceed any limitation as to the amount thereof which may be prescribed by the general laws of the state applicable to municipalities and in force at the time it is determined by the city commission that any such work shall be done or improvement made. Unless for special reasons which shall be stated in the ordinance levying an assessment or providing for the issue of bonds to pay any part of the cost of any such improvement to be made pursuant to contract, no such ordinance shall be passed, or assessment levied or money borrowed, until bids for the labor and material have been received and the approximate cost of the improvement accurately determined.

SEC. 40. *Improvements by Direct Labor.* Nothing in the pre-

ceding section shall be construed to prohibit the city commission from doing any public work or making any public improvement by the direct employment of the necessary labor and the purchase of the necessary supplies and materials, with separate accounting as to each improvement so made, but the city commission may upon so declaring by ordinance or resolution cause any public work or improvement to be done or made in such manner.

SEC. 41. *Sewer, Water and Gas Connections.* Before paving or otherwise surfacing or resurfacing any street or alley of the city the city commission shall determine the time within which sewer, water, gas or other connections shall be constructed, and shall give notice thereof to the persons or corporations required to make the same, and if a person or corporation fails to make any such connection when so required no permission to make the same shall thereafter be granted within five years from the completion of any such street improvement unless with the consent of four of the commissioners expressed by resolution adopted at a regular meeting of the commission and stating the reasons therefor. Nothing herein shall be construed to prohibit the city commission from providing that such connections may be made by the city and the cost thereof assessed against the lots and lands specially benefited thereby.

SEC. 42. *Expenditures in Excess of* $1,000. When an expenditure, other than the compensation of persons employed by the city, exceeds one thousand dollars, such expenditure shall first be authorized and directed by ordinance of the city commission, and no contract involving an expenditure in excess of such sum shall be made or awarded except upon the approval of the city manager and the city commission.

SEC. 43. *Time of Making Contracts.* The city commission shall not enter into any contract which is not to go into full operation during the term for which all the members of such city commission are elected.

SEC. 44. *Modification of Contracts.* When it becomes necessary in the opinion of the city manager, in the prosecution of any work or improvement under contract, to make alterations or modifications in such contract, such alterations or modifications, if made, shall be of no effect until the price to be paid for the work and material, or both, under the altered or modified contract, has been agreed upon in writing and signed by the contractor and by the city manager and approved by the city commission.

SEC. 45. *Bids in Excess of Estimate.* In no instance shall contracts be let either as a whole, or in aggregate if bids for parts of the work are taken, which exceed the estimate for the improvement contemplated.

SEC. 46. *Contracts—When Void.* All contracts, agreements or other obligations entered into and all ordinances passed, or resolutions and orders adopted, contrary to the provisions of the preceding sections, shall be void.

Elections

SEC. 47. *Time of Holding Elections.* Regular municipal elections shall be held on the first Tuesday after the first Monday in November in the odd numbered years. Primary elections shall be held at the time provided by the general election laws of the state. Any matter which by the terms of the charter may be submitted to the electors of the city at any special election may be submitted at a primary election or at a regular municipal election.

SEC. 48. *Ballots.* The ballots used in all elections provided for in this charter shall be without party marks or designations. the whole number of ballots to be printed for any primary or regular election for the nomination or election of candidates for the office of city commissioner shall be divided by the number of such candidates, and the quotient so obtained shall be the number of ballots in each series of ballots to be printed. The names of the candidates shall be arranged in alphabetical order and the first series of ballots printed. The first name shall then be placed last and the next series of ballots printed, and this process shall be repeated until each name shall have been first. These ballots shall then be combined into tablets with no two of the same order of names together. The ballots shall in all other respects conform as nearly as may be to the ballots prescribed by the general election laws of the state.

SEC. 49. *Petitions for Place on Primary Ballot.* Candidates for the office of city commissioner shall be nominated only by a non-partisan primary election. The name of any elector of the city shall be printed upon the primary ballot if there is filed with the election authorities a petition in accordance with the following provisions, to wit:

(*a*) Such petitions shall state the name and place of residence of each person whose name is presented for a place upon the ballot and that he is a candidate for the office of City Commissioner for the City of Springfield, Ohio.

(*b*) Such petitions shall be signed by electors of the municipality equal in number to two per cent of the total number of registered voters in the city.

(*c*) Such petitions shall contain a provision that each signer thereto thereby pledges himself to support and vote for the candidate or candidates whose names are therein presented for a place upon the ballot, and each elector signing a petition shall add to his signature his place of residence, with street and number, voting precinct, and date of signing, and may subscribe to one nomination for each of the places to be filled and no more. All signatures shall be made with ink or indelible pencil.

(*d*) The signatures of all the petitioners need not be appended to one paper, but to each separate paper there shall be attached an affidavit of the circulator thereof stating the number of signers thereto, that each person signed in his presence on the date mentioned, and that the signature is that of the person whose name it purports to be.

(*e*) Such petitions shall not be signed by any elector more than fifty days prior to the day of such primary election and such petition shall be filed with the election authorities not less than thirty days previous to the day of such election.

SEC. 50. *Acceptance.* Any person whose name has been submitted for candidacy by any such petition shall file his acceptance of such candidacy with the election authorities not later than twenty-five days previous to such election; otherwise his name shall not appear upon the ballot.

SEC. 51. *Election.* The candidates for nomination to the office of city commissioner who shall receive the greatest vote in such primary election shall be placed on the ballot at the next regular municipal election in number not to exceed twice the number of vacancies in the city commission to be filled, and the candidates at the regular municipal election, equal in number to the places to be filled, who shall receive the highest number of votes at such regular municipal election, shall be declared elected. A tie between two or more candidates for the office of city commissioner shall be decided by lot under the direction of the election authorities, as provided by the general election laws of the state.

SEC. 52. *General Laws to Apply.* All elections shall be conducted, and the results canvassed and certified, by the election authorities prescribed by general election laws, and, except as

otherwise provided by this charter or by ordinances or resolutions of the city commission hereafter enacted, the general election laws shall control in all such elections.

The Initiative

SEC. 53. *Proposed Petition.* Any proposed ordinances, including ordinances for the repeal or amendment of an ordinance then in effect, may be submitted to the city commission by petition signed by at least five per cent of the total number of registered voters in the municipality. All petitions circulated with respect to any proposed ordinance shall be uniform in character, shall contain the proposed ordinance in full, and shall have printed or written thereon the names and addresses of at least five electors who shall be officially regarded as filing the petition and shall constitute a committee of the petitioners for the purpose hereinafter named.

Each signer of a petition shall sign his name in ink or indelible pencil and shall place on the petition, opposite his name, the date of his signature and his place of residence by voting precinct and by street and number. The signatures to any such petition need not all be appended to one paper, but to each such paper there shall be attached an affidavit by the circulator thereof, stating the number of signers to such part of the petition and that each signature appended to the paper is the genuine signature of the person whose name it purports to be, and that it was made in the presence of the affiant and on the date indicated.

SEC. 54. *Time of Filing.* All papers comprising a petition shall be assembled and filed with the clerk of the city commission as one instrument, within one hundred and twenty days from the date of the first signature thereon, and when so filed, the clerk shall submit the same to the city commission at its next regular meeting and provision shall be made for public hearings upon the proposed ordinance.

SEC. 55. *Petition for Election.* The city commission shall at once proceed to consider such petition and shall take final action thereon within thirty days from the date of submission. If the city commission rejects the proposed ordinance, or passes it in a different form from that set forth in the petition, or fails to act finally upon it within the time stated, the committee of the petitioners by written demand filed with the clerk of the city commission not later than twenty days after final

action or inaction by the city commission, may require that the proposed ordinance be submitted to a vote of the electors in its original form, if, with or prior to such demand, a petition for such election, signed after the final action or inaction of the city commission, is filed with such clerk bearing additional signatures of five per cent of the electors of the city, none of whom were signers of the first petition. Such clerk shall forthwith cause notice of the filing of such demand and petition to be published in some newspaper of general circulation in the city, and shall also within five days certify to the officers having control of elections the proposed ordinance, stating whether or not a special election is demanded in the petitions, the percentage of registered voters who signed the two petitions in the aggregate, and the date on which he published the notice last mentioned.

SEC. 56. *Time of Holding Election.* If an election is to be held not more than three months nor less than thirty days after the publication of such notice by the clerk, such proposed ordinance shall be submitted to a vote of the electors at such election. If no election is to be held within the time aforesaid, the election officers shall provide for submitting the proposed ordinance to the electors at a special election to be held not later than sixty days nor earlier than thirty days after the publication of such notice, if the petition for such ordinance and the petition for such election so demand, and if the signers of the two petitions amount in the aggregate to at least twenty-five per cent of the registered voters of the city; otherwise the same shall be submitted at the next regular or special election. At least ten days before any such election the clerk of the city commission shall cause such proposed ordinance to be published.

SEC. 57. *Ballots.* The ballots used when voting upon any such proposed ordinance shall state the title of the ordinance to be voted on and below it the two propositions, "For the Ordinance" and "Against the Ordinance." Immediately at the left of each proposition there shall be a square in which by making a cross (X), the voter may vote for or against the proposed ordinance. If a majority of the electors voting on any such proposed ordinance shall vote in favor thereof, it shall thereupon become an ordinance of the city.

SEC. 58. *Duty of City Solicitor.* Before any ordinance so proposed shall be submitted to the city commission, it shall first be approved as to its form by the city solicitor, whose duty

it shall be to draft such proposed ordinance in proper legal language, and to render such other service to persons desiring to propose such ordinance as shall be necessary to make the same proper for consideration by the city commission.

SEC. 59. *Amendments and Repeals.* No ordinance adopted by an electoral vote can be repealed or amended except by an electoral vote, but an ordinance to repeal or amend any such ordinance may, by resolution of the city commission, be submitted to an electoral vote at any regular election, or at any special municipal election called for some other purpose, provided notice of the intention so to do be published by the city commission not more than sixty nor less than thirty days prior to such election, in the manner required for the publication of ordinances. If an amendment is so proposed, such notice shall contain the proposed amendment in full. Such submission shall be in the same manner, and the vote shall have the same effect, as in cases of ordinances submitted to an election by popular petition.

The Referendum

SEC. 60. *Petition for Referendum.* No ordinance passed by the city commission, unless it be an emergency measure or the annual appropriation ordinance, shall go into effect until thirty days after its final passage. If, at any time within said thirty days, a petition signed by fifteen per cent of the total number of registered voters in the municipality be filed with the clerk of the city commission, requesting that any such ordinance be repealed or amended as stated in the petition, it shall not become operative until the steps indicated herein have been taken. Such petition shall have stated therein the names and addresses of at least five electors as a committee to represent the petitions.

Referendum petitions need not contain the text of the ordinance or ordinances the repeal of which is sought; but shall contain the proposed amendment, if an amendment is demanded, and shall be subject in all other respects to the requirements for petitions submitting proposed ordinances to the city commission. Ballots used in referendum elections shall conform in all respects to those provided for in section fifty-seven of this charter.

SEC. 61. *Proceedings Thereunder.* The clerk of the city commission shall at its next meeting, present the petition to the city commission, which shall proceed to reconsider the ordinance. If

within thirty days after the filing of such petition, the ordinance be not repealed or amended as requested, the city commission shall provide for submitting the proposed repeal or amendment to a vote of the electors, provided a majority of the committee named in the petition to represent the petitioners shall, by writing filed with the clerk of the city commission within twenty days after the expiration of the said thirty days, so required. In so doing the city commission shall be governed by the provisions of section fifty-six hereof respecting the time of submission and the manner of voting on ordinances proposed to the city commission by petition; excepting that the question of calling a special election for such purpose shall be determined by the demand and number of signers of the petition requesting the repeal or amendment of such ordinance, which number shall be twenty-five per cent of registered voters; and excepting further that the city commission may call, and fix the time for, a special election for such purpose, if in its judgment the public interest will be prejudiced by delay.

If, when submitted to a vote of the electors, such repeal or amendment be approved by a majority of those voting thereon, it shall thereupon go into effect as an ordinance of the city; but if any such amendment is clearly separable from the remainder of the ordinance and does not materially affect the other provisions of such ordinance, all sections of the ordinance except that sought to be amended and those dependent thereon shall take effect as though no referendum of any portion of the ordinance had been demanded.

SEC. 62. *Referendum on Initiated Ordinances—Conflict.* Ordinances submitted to the city commission by initiative petition and passed by the city commission without change, or passed in an amended form and not required to be submitted to a vote of the electors by the committee of the petitions, shall be subject to the referendum in the same manner as other ordinances. If the provisions of two or more ordinances adopted or approved at the same election conflict, the ordinance receiving the highest affirmative vote shall prevail.

SEC. 63. *Emergency Measures.* Ordinances passed as emergency measures shall be subject to referendum in like manner as other ordinances, except that they shall go into effect at the time indicated in such ordinances. If, when submitted to a vote of the electors, an emergency measure be not approved by a ma-

jority of those voting thereon it shall be considered repealed as regards any further action thereunder; but such measure so repealed shall be deemed sufficient authority for payment in accordance with the ordinance of any expense incurred previous to the referendum vote thereon.

SEC. 64. *Preliminary Action.* In case a petition be filed requiring that a measure passed by the city commission providing for an expenditure of money, a bond issue or a public improvement be submitted to a vote of the electors, all steps preliminary to such actual expenditure, actual issuance of bonds, or actual execution of a contract for such improvement, may be taken prior to the election.

The Recall

SEC. 65. *Recall Petition.* Any or all members of the city commission may be removed from office by the electors by the following procedure.

A petition for the recall of the commissioner or commissioners designated, signed by at least five hundred of the electors of the city, and containing a statement in not more than two hundred words of the grounds of the recall, shall be filed with the city auditor, who shall forthwith notify the commissioner or commissioners sought to be removed, and he or they, within five days after such notice, may file with such auditor a defensive statement in not exceeding two hundred words. The city auditor shall at once upon the expiration of said five days cause sufficient printed or typewritten copies of such petition, without the signatures, to be made, and to each of them he shall attach a printed or typewritten copy of such defensive statement, if one is furnished him within the time provided. He shall cause one copy of such petition to be placed on file in his office, and provide facilities for there signing the same, and he shall also cause one copy to be placed in each of the several fire engine houses of the city, where the same shall be in the custody of the captain of the house, who shall provide facilities for there signing the same. The city auditor shall immediately cause notice to be published in some newspaper of general circulation in the city of the placing of such copies of such petition.

Such copies of such petition shall remain on file in the several places designated for the period of thirty days, during which time any of them may be signed by any elector of the city in

person; but not by agent or attorney. Each signer of any of such copies shall sign his name in ink or indelible pencil, and shall place thereafter his residence by voting precinct, and by street and number.

SEC. 66. *Notice.* At the expiration of said period of thirty days the city auditor shall assemble all of said copies in his office as one instrument, and shall examine the same and ascertain and certify thereon whether the signatures thereto amount to at least fifteen per cent of the registered voters of the city. If such signatures do amount to such per cent, he shall at once serve notice of that fact upon the commissioner or commissioners designated in the petition, and also deliver to the election authorities a copy of the original petition with his certificate as to the percentage of registered voters who signed the same, and a certificate as to the date of his last mentioned notice to the commissioner or commissioners designated in the petition.

SEC. 67. *Recall Election.* If the commissioner or commissioners, or any of them, designated in the petition, file with the clerk of the city commission within five days after the last mentioned notice from the city solicitor, his or their written resignation, the clerk of the city commission shall at once notify the election authorities of that fact; and such resignation shall be irrevocable, and the city commission shall proceed to fill the vacancy. In the absence of any such resignation the election authorities shall forthwith order and fix a day for holding a recall election for the removal of those not resigning. Any such election shall be held not less than thirty nor more than sixty days after the expiration of the period of five days last mentioned, and at the same time as any other general or special election held within such period; but if no such election be held within such period the election authorities shall call a special recall election to be held within the period aforesaid.

SEC. 68. *Ballots.* The ballots at such recall election shall conform to the following requirements. With respect to each person whose removal is sought, the question shall be submitted: "Shall (name of person) be removed from the office of city commissioner by recall?" Immediately following each such question there shall be printed on the ballots the two propositions in the order here set forth:

"For the recall of (name of person)."

"Against the recall of (name of person)."

Immediately to the left of each of the propositions shall be placed a square in which the electors, by making a cross mark (X), may vote for either of such propositions.

SEC. 69. *Filling of Vacancies.* In any such election, if a majority of the votes cast on the question of removal of any commissioner are affirmative, the person whose removal is sought shall thereupon be deemed removed from office upon the announcement of the official canvass of that election, and the vacancy caused by such recall shall be filled by the remainder of the city commission according to the provisions of section four of this charter.

If, however, an election is held for the recall of more than two commissioners, candidates to succeed them for their unexpired terms shall be voted upon at the same election, and shall be nominated without primary election, by petitions signed, dated and verified in the manner required for petitions presenting names of candidates for nomination at a primary election, and similar in form to such petitions, but signed by electors equal in number to at least five per cent of the registered voters of the city, and filed with the election authorities at least thirty days prior to such recall election. But no such nominating petition shall be signed or circulated until after the time has expired for signing the copies of the petition for the recall, and any signatures thereon antedating such time shall not be counted.

SEC. 70. *Counting the Vote.* Candidates shall not be nominated to succeed any particular commissioner; but if only one commissioner is removed at such election, the candidate at such election receiving the highest number of votes shall be declared elected to fill the vacancy; and if more than one commissioner is removed at such election, such candidates equal in number to the number of commissioners removed shall be declared elected to fill the vacancies; and among the successful candidates, those receiving the greater number of votes shall be declared elected for the longer terms. Cases of ties, and all other matters not herein specially provided for, shall be determined by the rules governing elections generally.

SEC. 71. *Effect of Resignations.* No proceedings for the recall of all the members of the city commission at the same election shall be defeated in whole or in part by the resignation of any or all of them, but upon the resignation of any of them the city commission shall have power to fill the vacancy until a suc-

cessor is elected, and the proceedings for the recall and the election of successors shall continue and have the same effect as though there had been no resignation.

SEC. 72. *Miscellaneous Provisions.* Except as herein otherwise provided, no petition to recall any commissioner shall be filed within six months after he takes office. No person removed by recall shall be eligible to be elected or appointed upon or for a period of two years after the date of such recall. The city auditor shall preserve in his office all papers comprising or connected with a petition for a recall for the period of one year after the same were filed. The method of removal herein provided is in addition to such other methods as are, or may be, provided by general law.

SEC. 73. *Offenses Relating to Petitions.* No person shall falsely impersonate another, or purposely write his name or residence falsely, in the signing of any petition for initiative, referendum or recall, or forge any name thereto, or sign any such paper with knowledge that he is not a qualified elector of the city. No person shall sign, or knowingly permit to be signed, any petition for recall at any place other than one of the places hereinbefore designated for the signing of such petitions. Nor shall any person employ or pay another, or accept employment or payment, for circulating any initiative or referendum petition upon the basis of the number of signatures procured thereto. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and shall, upon conviction, be fined in any sum not to exceed one hundred dollars and the costs of prosecution. The foregoing provisions shall not be held to be exclusive of, but in addition to, all laws of the state prescribing penalties for the same offenses or for other offenses relating to the same matter.

Franchises

SEC. 74. *Grants Limited.* No grant, or renewal thereof, to construct and operate a public utility in the streets and public grounds of the city shall be made by the city commission to any individual, company or corporation in violation of any of the limitations contained in this charter.

SEC. 75. *Period of Grants.* No such grant shall be exclusive, nor shall it be made for a longer period than twenty years. No such grant shall be renewed earlier than two years prior to its expiration unless the city commission shall by a vote of at

least four of its members first declare by ordinance its intention of considering a renewal thereof. All grants of the right to make extensions of any public utility shall be subject as far as practicable to the terms of the original grant and shall expire therewith.

SEC. 76. *Assignment.* No such grant shall be leased, assigned or otherwise alienated except with the express consent of the city commission.

SEC. 77. *Right of Purchase.* All such grants shall reserve to the city the right to purchase or lease all the property of the utility used in or useful for the operation of the utility, at a price either fixed in the ordinance making the grant, or to be fixed in the manner provided by such ordinance, which price shall in no event include any value for the grant. Nothing in such ordinance shall prevent the city from acquiring such property by condemnation proceedings or in any other lawful mode, which rights shall be in addition to those reserved in such ordinance. Upon the acquisition of such property by purchase, condemnation or otherwise all grants shall at once terminate.

SEC. 78. *Extension by Annexation.* It shall be provided in every such grant that upon the annexation of any territory to the city the portion of any such utility that may be located within such annexed territory and upon the streets, alleys or public grounds thereof, shall thereafter be subject to all the terms of the grant as though it were an extension made thereunder.

SEC. 79. *Right of Regulation.* All grants shall be subject to the right of the city, whether in terms reserved or not, to control at all times the distribution of space in, over, under or across all streets, alleys or public grounds occupied by public utility fixtures, and, when in the opinion of the city commission the public interest so requires, such fixtures may be caused to be reconstructed, relocated, altered or discontinued; and said city shall at all times have the power to pass all regulatory ordinances affecting such utilities which in the opinion of the city commission are required in the interest of the public health, safety, or accommodation.

SEC. 80. *Forfeitures.* If any action shall be instituted or prosecuted directly or indirectly by the grantee of any such grant, or by its stockholders or creditors, to set aside or have declared void any of the terms of any such grant, the whole of such grant may be thereupon forfeited and annulled at the option of the

city commission to be expressed by ordinance. All such grants shall make provision for the declaration of a forfeiture by the city commission for the violation by the grantee of any of the terms thereof.

SEC. 81. *Accounts and Reports.* Every person or corporation operating a public utility within the city limits, whether under a grant heretofore or hereafter obtained, shall keep and maintain at some place within the city suitable, and complete books of account, showing in detail the assets, financial obligations, gross revenue, net profits and all the operations of such utility which are usually shown by a complete system of bookkeeping.

Each such person or corporation, within sixty days after the end of each of its fiscal years, unless the city commission shall extend the time, shall file with the city commission a report for the preceding fiscal year showing the gross revenue, the net profits, expenses of repairs, betterments and additions, the amount paid for salaries, amount paid for interest and discount, other expenses of operation, and such other information, if any, as the city commission from time to time may prescribe. If the city commission shall prescribe the form for such reports, then such reports shall be made in the form from time to time prescribed by such commission.

It shall be the duty of each such person or corporation to furnish the city commission such supplementary or special information about its affairs as the commission may demand; and the commission, or its authorized representative, shall at any and all reasonable times have access to all the books, records and papers of each and every such person or corporation, with privilege of taking copies of same or any part thereof.

The duties herein prescribed may be specifically enforced by appropriate legal proceedings; and in addition, each such person or corporation, for failure to comply with the provisions of this section, shall be liable to the city of Springfield, Ohio, in the sum of twenty-five dollars per day for each day of such failure, to be recovered in a civil action in the name of the city.

The provisions of this section do not apply to any utility extending in its operations to other communities not properly suburban to the city of Springfield, Ohio; but the city commission by ordinance may make the same, or any part thereof, applicable to the portion of any such utility operated within the limits of the city.

SEC. 82. *Grants Not Included.* Revocable permits for laying spur tracks across or along streets, alleys or public grounds, to connect a steam or electric railroad with any property in need of switching facilities shall not be regarded as a grant within the meaning of this charter, but may be permitted in acordance with such terms and conditions as the city commission may by ordinance prescribe.

SEC. 83. *General Provision.* Nothing in this charter contained shall operate in any way, except as herein specifically stated, to limit the city commission in the exercise of any of its lawful powers respecting public utilities, or to prohibit the city commission from imposing in any such grant such further restrictions and provisions as it may deem to be in the public interest, provided only that the same are not inconsistent with the provisions of this charter or the constitution of the state.

Miscellaneous Provisions

SEC. 84. *General Laws to Apply.* All general laws of the state applicable to municipal corporations, now or hereafter enacted, and which are not in conflict with the provisions of this charter, or with ordinances or resolutions hereafter enacted by the city commission, shall be applicable to this city; provided, however, that nothing contained in this charter shall be construed as limiting the power of the city commission to enact any ordinance or resolution not in conflict with the constitution of the state or with the express provisions of this charter.

SEC. 85. *Ordinances Continued in Force.* All ordinances and resolutions in force at the time of the taking effect of this charter, not inconsistent with its provisons, shall continue in full force and effect until amended or repealed.

SEC. 86. *Ordinances Continued in Force.* All ordinances and the members of the Board of Education and the Police Judge, holding office at the time this charter is adopted shall continue in office and in the performance of their duties until provision shall have been otherwise made in accordance with this charter for the performance or discontinuance of the duties of any such office. When such provision shall have been made the term of any such officer shall expire and the office be deemed abolished. The powers which are conferred and the duties which are imposed upon any officer, board or department of the city under the laws of the state, or under any city ordinance or contract in

force at the time of the taking effect of this act shall, if such office or department is abolished by this charter, be thereafter exercised and discharged by the commission, officer, board or department upon whom are imposed corresponding functions, powers and duties by this charter or by any ordinance or resolution of the city hereafter enacted.

SEC. 87. *Continuance of Contracts and Vested Rights.* All vested rights of the city shall continue to be vested and shall not in any manner be affected by the adoption of this charter; nor shall any right or liability, or pending suit or prosecution, either in behalf of or against the city, be in any manner affected by the adoption of this charter, unless otherwise herein expressly provided to the contrary. All contracts entered into by the city or for its benefit prior to the taking effect of this charter shall continue in full force and effect. All public work begun prior to the taking effect of this charter shall be continued and perfected hereunder. Public improvements for which legislative steps shall have been taken under laws in force at the time this charter takes effect may be carried to completion in accordance with the provisions of such laws.

SEC. 88. *Investigations.* The city commission, or any committee thereof, the city manager and any advisory board appointed by the commission for such purpose, shall have power at any time to cause the affairs of any department or the conduct of any officer or employee to be investigated; and for such purpose shall have power to compel the attendance of witnesses and the production of books, papers and other evidence; and for that purpose may issue subpoenas or attachments which shall be signed by the president or chairman of the body or by the officer making the investigation, and shall be served by any officer authorized by law to serve such process. The authority making such investigation shall also have power to cause the testimony to be given under oath to be administered by some officer authorized by general law to administer oaths; and shall also have power to punish as for contempt any person refusing to testify to any fact within his knowledge, or to produce any books, or papers under his control, relating to the matter under investigation.

SEC. 89. *Oath of Office.* All officers before taking office shall take the oath of office prescribed by law; but the oath of office of city commissioner shall be in writing and be filed with the

city auditor and shall contain the assertion that in his candidacy for nomination and election he has not violated any provision of section three of this charter.

SEC. 90. *Hours of Labor.* Except in cases of extraordinary emergency, not to exceed eight hours shall constitute a day's work and not to exceed forty-eight hours a week's work, for workmen engaged on any public work carried on or aided by the city, whether done by contract or otherwise; and it shall be unlawful for any person, corporation or association, whose duty it shall be to employ or to direct and control the services of such workmen to require or permit any of them to labor more than eight hours in any calendar day or more than forty-eight hours in any week, except in cases of extraordinary emergency. Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction be fined not to exceed five hundred dollars or be imprisoned not more than six months or both. This section shall not be construed to include policemen or firemen nor shall it be held to apply to any contract made prior to the taking effect of this charter.

SEC. 91. *First Election.* In order that the provisions of this charter may be put into full force and effect from and after January 1, 1914, five city commissioners shall be elected on the fourth day of November, 1913. Candidates for the city commission shall, at such election, be nominated by petition, and there shall be no primary. Such petitions shall contain the name of the candidate or candidates, and shall specify as to each candidate that he is nominated for the office of City Commissioner for the City of Springfield, Ohio, and shall state his place of residence, with street and number thereon, if any. Such petitions shall be signed for each candidate by qualified electors of the city not less in number than five per cent of the total registered voters of the city.

Signers of such petitions shall insert in them the names and addresses of such persons as they desire to the number of five as a committee who may fill vacancies caused by death or withdrawal.

Such petitions shall contain a provision that each signer thereto thereby pledges himself to support and vote for the candidate or candidates whose nominations are therein requested,

and each elector signing a petition shall add to his signature his place of residence and may subscribe to one nomination for each of the five places to be filled and no more.

One of the signers to each such separate paper shall swear that the statements therein are true to the best of his knowledge and belief and the certificate of such oath shall be annexed.

Such petitions shall be filed with the Board of Deputy State Supervisors of Elections of Clark County, Ohio, not less than sixty days previous to the day of said election.

Any person whose name has been submitted for candidacy by any such petition shall file with the secretary or any member of such election board, before September 15, 1913, his written acceptance of such candidacy, which acceptance shall state that if elected he will qualify for and serve in such office during the term for which he is elected. It shall be the duty of the secretory or member of such election board with whom such acceptance is filed forthwith to make and deliver to such candidate a written certificate acknowledging the receipt of such acceptance and stating the date of its filing. If any candidate fails to file such acceptance his name shall not appear upon the ballot.

In the event of failure to elect commissioners at such election, the vacancies due thereto shall be filled under the provisions of section four of this charter at any time after November 15th, 1913; and the three members selected by the joint board shall have the four-year terms.

SEC. 92. *Amendment of Charter.* Amendments to this charter may be submitted to the electors of the city by a two-thirds vote of the city commission, and, upon petition signed by ten per cent of the electors of the city setting forth any such proposed amendment, shall be submitted by such city commission. The ordinance providing for the submission of any such amendment shall require that it be submitted to the electors at the next regular municipal election if one shall occur not less than sixty nor more than one hundred and twenty days after its passage; otherwise it shall provide for the submission of the amendment at a special election to be called and held within the time aforesaid. Not less than thirty days prior to such election the clerk of the city commission shall mail a copy of the proposed amendment to each elector whose name appears upon the poll or registration books of the last regular municipal or general election. If such proposed amendment is approved by a majority

of the electors voting thereon it shall become a part of the charter at the time fixed therein.

SEC. 93. *Saving Clause.* If any section or part of a section of this charter proves to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force or effect of any other section or part of a section of this charter, unless it clearly appear that such other section or part of a section is wholly or necessarily dependent for its operation upon the section or part of a section so held unconstitutional or invalid.

SEC. 94. *When Charter Takes Effect.* For the purpose of nominating and electing officers and all purposes connected therewith and for the purpose of exercising the powers of the city as provided herein, this charter shall take effect from the time of its approval by the electors of the city. For the purpose of establishing departments, divisions and officers, and distributing the functions thereof, and for all other purposes it shall take effect on the first day of January, 1914.

DIGEST OF THE CHARTER OF DAYTON, OHIO[1]

Governing Body

Title: Commission.
Number: Five.
Term: Four years. Partial renewal biennially.
Removal: Recall.
Salary: Twelve hundred dollars (Mayor, $1,800).

Mayor

SEC. 36. The mayor shall be that member of the commission who, at the regular municipal election at which the three commissioners were elected, received the highest number of votes, except that at the first regular municipal election held under this charter the mayor shall be the commissioner receiving the highest number of votes. In case two candidates receive the same number of votes, one of them shall be chosen mayor by the remaining members of the commission. In event of a vacancy in the

[1] Where the City Manager Plan has had its greatest development. Adopted August 12, 1913. Reprinted from Beard's "Digest of Short Ballot Charters."

office of mayor, the remaining members of the commission shall choose his successor for the unexpired term from their own number. The mayor shall be the presiding officer, except that in his absence a president protempore may be chosen. The mayor shall exercise such powers conferred and perform all duties imposed upon him by this charter, the ordinances of the city and the laws of the state. He shall be recognized as the official head of the city by the courts for the purpose of serving civil processes, by the Governor for the purposes of the military law, and for all ceremonial purposes.

SEC. 37. In the event the commissioner who is acting as mayor shall be recalled, the remaining members of the commission shall select one of their number to serve as mayor for the unexpired term. In the event of the recall of all of the commissioners, the person receiving the highest number of votes at the election held to determine their successors shall serve as the mayor.

City Manager

SEC. 47. The commission shall appoint a city manager who shall be the adminstrative head of the municipal government and shall be responsible for the efficient administration of all departments. He shall be appointed without regard to his political beliefs and may or may not be a resident of the city of Dayton when appointed. He shall hold office at the will of the commission and shall be subject to recall as herein provided.

SEC. 48. *Powers and Duties of the City Manager.* The powers and duties of the city manager shall be

(*a*) To see that the laws and ordinances are enforced.

(*b*) To appoint and, except as herein provided, remove all directors of departments and all subordinate officers and employees in the departments in both the classified and unclassified service; all appointments to be upon merit and fitness alone, and in the classified service all appointments and removals to be subject to the civil service provisions of this charter;

(*c*) To exercise control over all departments and divisions created herein or that may be hereafter created by the commission;

(*d*) To attend all meetings of the commission, with the right to take part in the discussion but having no vote;

(*e*) To recommend to the commission for adoption such measures as he may deem necessary or expedient;

(*f*) To keep the commission fully advised as to the financial condition and needs of the city; and

(*g*) To perform such other duties as may be prescribed by this charter or be required of him by ordinance or resolution of the commission..

SEC. 49. *Salary.* The city manager shall receive such salary as may be fixed by ordinance of the commission.

SEC. 50. *Investigations by the City Manager.* The city manager may without notice cause the affairs of any department or the conduct of any officer or employee to be examined. Any person or persons appointed by the city manager to examine the affairs of any department or the conduct of any officer or employee shall have the same power to compel the attendance of witnesses and the production of books and papers and other evidence, and to cause witnesses to be punished for contempt, as is conferred upon the commission by this charter.

Appointments

Enumeration: (1) City Manager, Civil Service Board, Clerk of the Commission. (2) City Attorney, Director of Public Service, Director of Public Welfare, Director of Public Safety, Director of Finance. (3) The following subordinate officers: Health Officer, Chief of Police, Fire Chief, City Accountant, City Treasurer, City Purchasing Agent.

Manner: Group (1) by the Commission. Groups (2) and (3) by the City Manager.

Civil Service Provisions: The following officers are in the unclassified service: Those elected by the people, the City Manager, the heads of departments and divisions of departments, members of appointive boards, the Clerk of the Commission, and the deputies and secretaries of the City Manager, and one assistant or deputy and one secretary for each department.

All other positions are in the classified service in the competitive, non-competitive or labor divisions, and are under the regulations of the Civil Service Board.

Election Provisions

Non-partisan nominations and elections. Names are placed on the ballot at the primary election by petition of two per centum of the registered voters.

Candidates to twice the number of offices to be filled, re-

ceiving the highest number of votes at the primary are the candidates at the second election.

Initiative

Ten per centum petition* to bring the ordinance to the attention of the council; additional fifteen* per centum petition after thirty days to have it submitted to the people (special election).

Referendum

Twenty-five per centum petition* (special election).

Recall

Twenty-five per centum petition.*

No recall petition may be filed within the first six months of office. The question of removal is separated from that of the choice of a successor, and the name of the officer sought to be recalled does not appear as a candidate to succeed himself.

The recall may be applied to the City Manager.

COMMENT ON THE DAYTON CHARTER[1]

Dayton is the first large city to attempt municipal betterment through city manager government, and this fact, together with the unusual circumstances attending its adoption, has directed a significant interest to the experiment. Many communities impressed by this example of local government have endeavored to put its larger principles into operation. Some of these have copied intact the Dayton charter, while others have accepted the administrative provisions with slight change.

Doubtless a charter most carefully prepared would, under operation, develop points for improvement. This could not be less true of the Dayton document, which in spite of painstaking thought on certain sections, was written in a limited time by business men. The wide use of the Dayton document as a model suggests the indicating of certain alterations, the need of which has developed through a year's experience. The notations are illustrative of the necessity of care and experience in charter drafting, and are not meant as an exhaustive recital of charter defects.

* Registered vote.

[1] By Lent D. Upson. In National Municipal Review. 4: 266-72. April, 1915.

It so happens that all of the larger cities and most of the smaller ones with city manager government have placed the legislative powers in a small board, elected at large without regard to political party. Irrespective of the improvement in administration generally attending the adoption of the city manager plan, it has not been definitely proven that a small council chosen in the manner indicated contributes materially to this result.

Indeed, the amount of newspaper criticism and street talk based upon misinformation and prejudice prompts the belief that there is a failure to filter the facts of government down to an interested public—an error which some elements suggest might be corrected by bringing the legislative body closer to the people. It is advanced that a method by which the several political and social elements in the community might be represented would stimulate a more friendly attitude among discordant groups, and would require such representatives to place themselves definitely on record on propositions which are criticised solely for political expediency. In other words, responsibility would minimize fault-finding. This problem of representation can have only an empirical solution, and Dayton having discarded the ward system and its evils, awaits with interest the results of a trial of proportional representation.

That the provision in the Dayton charter permitting the recall of the city manager is an error, has been generally conceded. The city manager is solely an administrative officer engaged to carry out the legislative policies of the commission. If he fails in these administrative duties, the commission has made the mistake of appointing an incompetent person; if measures are unpopular, it is the fault of the commission which ordered them put into effect. Granted that in the public mind the city manager will always be the most important person in the city government; that administrations will succeed or fail upon the manager's achievements—yet in the last analysis it is the employers who should be held responsible.

The charter-framers of Dayton were not insensible to these principles, but believed that to have so radical a departure in city government approved, it would be necessary to offer an additional safeguard in the possibility of recalling the city manager. As the public has come largely to realize the purely administrative duties of the city manager, it seems feasible to eliminate this objectionable feature of the charter.

The charter provides that the first meeting of the city commission shall be "on the first Monday of January following the regular municipal election." Under such circumstances it might so happen that the city would be without government, or at least its officers without authority to expend funds from January 1 until the first Monday in the month. This section should be remedied, calling for a meeting of the commission, and the passing of an appropriation ordinance on the first business day of the year.

It has been provided that the city attorney shall be appointed by the city manager, while his assistants are chosen subject to civil service regulations. Question has been made as to the policy of subordinating this office to chief executive. Numerous questions may be proposed, relating particularly to the financial administration of the city, in which it might be advisable that the opinion of the city attorney be unbiased by his relationship with the officer directly responsible for such financial considerations. Not infrequently the desire of an administration to show immediate results proves inimical to the best interests of the tax payers, although the latter are theoretically protected by law. For example, by the refunding of bonds to the advantage of the operating fund; by bond issues for purposes approaching current operation, etc. In such instances the legal adviser of the city should be in the position to advance an independent opinion. It has been suggested that the city attorney, or the chief financial officer, preferably the former, be appointed directly by the commission, but this diversion from centralized authority has never been tried.

The vital feature of the prescribed accounting procedure of Dayton is in the words "accounting procedure shall be devised and maintained for the city, adequate to record in detail all transactions affecting the acquisition, custodianship and disposition of values . . ." With this sanction, the director of finance has opened a complete set of books including a general ledger, and is prepared to furnish an accurate balance sheet of all city funds. In fact, Dayton has installed a financial system comparing favorably with that employed in large private business, and which is equalled by few cities in the country. The charter further requires that distinct summaries and schedules shall be presented for each public utility owned and operated. This should be amended to include public industries, such as garbage disposal plants, public markets, etc.

Under the present requirement the city manager signs both the order for goods or services and the voucher by which the payment for such is authorized. It is doubtful if the manager should be compelled to sign either of these documents, as he has no personal knowledge of, and little time to investigate, the merits of the thousands of business transactions occurring.

To centralize the city government the charter provides that the board of sinking fund trustees shall consist of the city commission, the city manager, and the director of finance. A commission with its many varied duties has little time or interest in technical sinking fund procedure. Even in Dayton such a fundamental procedure as the change from the serial to sinking fund plan of debt retirement secured scant consideration. Further, intrusting the custodianship of sinking fund money with the same body that creates indebtedness may not be assumed always to operate to the interest of the tax payers. Occasions might be when the legislative body would issue bonds which, while permitting a favorable showing by the administration, might be illegal as well as impolitic. Examples are bonds for equipment, regular engineering, and refunding purposes. Under the present circumstances if such indebtedness were refused by bond buyers the legislative body acting as sinking fund trustees might purchase the questionable issue. On the other hand, an independent board of sinking fund trustees would probably be inclined to act only for the broader concern of the public. Reduction in salaried positions, though not the centralization of administration, could be secured equally well by creating a sinking fund commission to serve without pay, and by providing that the city treasurer or accountant should act as secretary.

Purchasing provisions of the charter do not provide that the purchasing agent shall buy other than supplies and materials, although the local agent has extended his activities to include certain contractual services known in budgetary parlance as "contractual services" or "services other than personal." Charter amendment should be made to demarcate the sphere of the agent; or at least to designate minimum activities, leaving their extension to the option of the city manager. Probably centralized purchasing would be profitable for telephone service; repairs by contract or open market order, whether to equipment, building or structures; insurance, both fire and liability; public utility services except transportation charges; and other contractual ser-

vices such as legal advertising, boarding of live stock, rent of lands and buildings, storage of equipment, horseshoeing, etc.

Definite charter provision should be made for the creation of a stores fund with which goods may be purchased, stored and sold to departments without profit; for the reimbursements of this fund by warrants drawn against the proper appropriation codes when stores are delivered; and as to the method of adjusting the account at the close of the fiscal year. Authorization should also be made for the sale of services and supplies between departments where the transfer of charges is one of account and no money passes through the city treasury.

It would also be well to specify more clearly the circumstances surrounding emergency orders, requiring that the facts of the emergency shall be certified to the purchasing agent within twenty-four hours after the purchase is made, and that a confirming order shall be immediately sent to the vendor. In this connection the creation of departmental petty cash funds should be definitely allowed carefully limiting their use so as to minimize abuse.

Further provision should be made that when bids are opened, and before contracts are let, the figures should be public to competitors and to citizens sufficiently interested to inquire at the purchasing agent's office. To this end bids should be tabulated upon standard sheets and become permanent records. Objection has been made that the publicity of bids in contrast to the practice of private firms is not conducive to lowest prices. On the other hand, secrecy of bids places the purchasing agent liable to the temptation of deals with corrupt vendors, and robs the public and competitors of easy means of detection. This situation, as in Dayton, may be remedied by administrative order, but a model charter should leave no vagueness of this character.

If city advertising is done exclusively in a daily newspaper of general circulation which bids the lowest price per unit for such services, there is a remarkable saving in charges of this character. However, the Dayton charter does not permit a municipal journal to be substituted in case a newspaper contract has been entered into, although frequently it would be advantageous to do so. With certain extensive ordinances such as the city budget, building code, traffic rules, etc., newspaper publication is not only expensive, but it is not particularly effective. In such instances it would be desirable to publish in pamphlet form as an issue of a

journal which would be less expensive, furnish a means of permanence, and allow for distribution among persons affected or interested.

The absurdity of certain of the Dayton civil service provisions will be so apparent to even the casual student of government that these sections merit only brief mention and discussion:

(a) The unclassified service includes the heads of divisions, as well as of departments, thereby removing the promotion incentive for employees, and offering a stimulus to the creation and extension of divisions by an unscrupulous administration interested in extending the spoils system.

(b) The chief examiner is empowered to fill vacant positions, after consultation with the city manager, from the entire eligible list. Certainly such a provision lays the merit system wide open to abuse, and might even nullify it were the appointing officers so inclined. The city manager of Dayton is appointing from the top of the eligible list, but a change in the administration policies would permit the filling of vacancies with ward politicians of minimum ability.

(c) Contrary to approved practices, it is provided that discharged employees are entitled to a public hearing before the civil service board. Such a program will find little defense among persons familiar with civil service practice. A recent experience of Dayton with a public hearing of this kind has proven this scheme to be conducive to insubordination, makes the departmental head reluctant to discharge incompetents, and furnishes an opportunity for the creating of political capital by the opposition.

There are a number of commendable features in the civil service chapter, notably those relating to the standardization of salaries, requiring a probationary period of appointment, certification of all pay rolls, and the prevention of political activity on the part of employees. These should be retained, but certainly the other provisions cited are in urgent need of amendment.

The principal weaknesses of the special assessment sections relate to the levying of assessments previous to the making of improvements. It is impractical for the city engineer to estimate exactly the cost of improvements, in consequence of which the figures are usually excessive, necessitating rebates at the conclusion of the construction. However, when this amount is small,

and no demand is made by the tax payer, the surplus is turned into a fund to meet small deficiencies. The devising of some plan which will eliminate these difficulties without involving the objections arising from fixing the assessments after the improvement is made would be an interesting study.

The extensive use which municipalities are now making of special assessments for purposes other than public improvements, should prompt some provisions for the treatment of these funds aside from the regular assessment procedure. Where assessments are used for special street lighting, vault cleaning, sidewalk cleaning, weed cutting, street flushing, street sprinkling, etc., regular budgetary appropriations should be made for these services, with the stipulation that the assessment income should be turned into the general fund as a regular revenue; and that in those cases in which such assessment is placed on the tax duplicate it should be returned when collected to the general fund.

Some exception has been taken to the franchise regulation which prohibits the regranting of a franchise prior to one year of its expiration, a section included to prevent franchise jobbing by a controlled legislative body. It has not been infrequent in municipal history for a council to annul a franchise and in its place grant a new one for a long period. On the other hand it is frequently to local advantage to secure improvements from public utilities, or the union of separate companies, in return for a new franchise granted before the expiration of the older ones. Probably with the other safeguards which have been thrown around the granting of franchises this section might be eliminated.

No sections of the Dayton charter have been more widely copied than those relating to appropriations, doubtless because this city has been one of the few to detail appropriation procedure. However, after the experience derived from the preparation of two budgets under these sections, and with a knowledge of the more recent developments in budget making, certain minor changes urgently recommend themselves:

(a) The fiscal year should begin, not necessarily with the calendar year but at a time when the principal payments of accrued city revenues are anticipated.

(b) The classification of expense estimates should be uniform for the main functional divisions of each department, rather than "as nearly uniform as possible."

(c) The clause requiring that the first publication of the budget be made after the public hearings should be changed to read before. This was an unintentional error. A provision requiring that the manager's estimate of expense be published parallel with the appropriations of the commission has been found unnecessary.

(d) Recently considerable change in budget procedure has been suggested by the publication of a budget program for the city of New York for 1915, as devised by the New York bureau of municipal research. The details are too long to be discussed here but are worthy of consideration by any charter drafting body.

In providing for the salaries and compensation of employees, the charter states that the city manager shall fix the number and salaries of officers and employees excepting those in the division of fire and police, and the heads of departments. Such a section is theoretically unsound as delegating to an appointive officer powers which should be retained by the legislative body which is responsible to the people. This was recognized by the city manager of Dayton who voluntarily relinquished this charter right, and the salaries and period of service of each employee are made an integral part of the appropriation ordinance.

The charter by requiring that the money shall be in the treasury before obligations are entered into automatically limits the period of contract to one year. In the main, this has proven beneficial but absolutely prevents long-term contracts for public lighting, garbage disposal, etc. Contracts of this character should be exempt from this provision.

These are some of the important changes found desirable in the Dayton charter after one year of operation. Doubtless there are others which further experience will develop. This document was never presented as the last work in charter-making, but claims to be only a step in advance over those in common use. Cities contemplating the adoption of the Dayton model of government should profit by the weaknesses which have arisen, remembering that the most adequate charter, if it contains administrative procedure, will require periodic amendment in order to take advantage of improvements developed through the experience of their own and other cities.

GENERAL DISCUSSION

THE CITY MANAGER, QUALIFICATIONS, POWERS AND DUTIES[1]

The city manager is an appointive officer selected, by reason of his peculiar knowledge of municipal affairs and because of his administrative ability, to fill the position of chief executive of a vast public corporation, with little restriction upon his power and with only one command—produce results.

Qualifications.—Municipal managership is a new profession. As the requirements of the office are largely untried, the charter framers displayed keen foresightedness in making the qualifications for service of broad general character without regard to hampering details. Theirs was the intent to secure the best man at a price which would be justified by the results he would produce. These provisions as to his qualifications are so general and so liberal in their tendencies that the restrictions take on merely a negative character. For instance, the charters generally state that the city manager need not be selected from citizens resident in the city, but may be appointed from any locality, as it is a question of ability rather than residence.

Dr. Washington Gladden at the Conference of Ohio Cities in 1912 said:

> Still another shackle would be broken if our new constitution should remove all those limitations by which the people are restricted, in selecting their officials, to residents of their own city. Why should not the city corporation be free in choosing its employees—to take them wherever it can find them—to get the best men without any reference to their place of residence? No business corporation would submit to such a restriction, that it should employ in an executive capacity none but its own stockholders or none but residents in its own community. Cases often arise in which far more efficient service might be secured by going outside of the municipality; for special services we sometimes do go outside; but why should we limit ourselves at all? It is sometimes assumed that a resident of the neighborhood would know the people better, and would then be able to serve them more acceptably; but the fact is that, as a rule, the less

[1] By Harry Aubrey Toulmin, Jr., J.D., F.S.S., "The City Manager, a New Profession," p. 76-97.

people a municipal officer knows, the better it is for the service. The great curse of municipal government arises from the fact that the officials know too many people, and are under too many obligations. It will take a competent executive but a very short time to get all the knowledge of local conditions that will be of any use to him.

His personal qualifications above all are essential. His political beliefs are especially mentioned as a thing which shall not be considered a bar in any way whatsoever to his candidacy. The test of politics is a dead letter; the measurement of efficiency is a live issue.

So much for the general, though meager, qualifications so briefly enumerated by the charters. They are chiefly concerned with what he is not to be. The unspoken qualifications, undoubtedly the chiefest in the makeup of a man in such a position are, first, absolute, unswerving adherence to his own view that efficiency, and hence results for the city, is the paramount thing; second, administrative experience in business involving the maintenance of engineering works and the necessary technical education; and third, the ability to lead through tact as well as knowledge.

The New Profession's Personnel.—The city managers selected for Staunton, Sumter, Springfield and Dayton have preeminently these qualities. The selections in each case by the commissions have been the result of patient search and careful thought and profound study of what were the requirements of the position and qualities which one should have to adequately fill it.

The first city managers of Dayton and Springfield are illustrative of the type of men required for the position. Mr. H. M. Waite was appointed city manager of Dayton. He is a civil engineer by profession, graduating from the Massachusetts Institute of Technology. He has been superintendent of various divisions of the large railways of this country. He made a remarkable record as city engineer for the city of Cincinnati. In that position he distinguished himself for efficiency of administration, a knowledge of civic affairs and an absolute unswerving loyalty to the idea of efficiency in public office. Equipped with a profound sense of the importance of public service, he chose his subordinates with an eye to their ability to serve the people rather than a political machine; he was subservient to no party and to the dictates of no ascendant political organization. At the time of his assumption of office on January 1, 1914, in

the city of Dayton, he was forty-three years of age, a man of wide technical and administrative experience, possessing a record of efficient service under that advanced administration in the city of Cincinnati in the late régime of Mayor Hunt. A most telling indication of his policies was his first statement upon the assumption of power in his new position. "I insist," he said, "when I employ men for work in my department that they be selected for their efficiency and not because of any political affiliation or in payment of any political debts, and this same policy I expect to adhere to in Dayton." That is a platform well worth while indeed.

The city manager of Springfield is another man with a record of most excellent service. Mr. Charles E. Ashburner, also aged forty-three, lately of Lynchburg, Virginia, was selected first city manager for the city of Springfield. He is a native of England, the son of an officer in the English army. After an excellent education in Germany and France he came to America and found his first employment as civil engineer in the Rivers and Harbors Bureau of the United States. Later, he was engaged by a contracting firm on engineering projects in various countries of the world and then was employed by a railway in its engineering department. His first municipal experience was in Staunton, Virginia, where he became city manager, when the general manager was installed there. He was therefore probably the first city manager in America; furthermore, he installed the excellent city manager system now in force in Sumter, North Carolina. After that, he went back to his profession from which he was called lately to assume the place of chief executive of this city of fifty thousand.

When the commission selects the city manager, it is a part of its power to fix his salary. The spirit of the charters in the larger cities, as in Springfield and Dayton, is to have the best at any price. The commissioners are at liberty to bargain with a prospective candidate in regard to the place and to secure the best man their finances will justify, according to the customary method in the business world.

To the uninitiated sometimes the salary of a city manager looks high. It is, and in this matter of high salaries lies a grave danger for the success of the plan. A large salary can only be justified when its recipient saves the city the excess and more by his economy of administration without impairment of results.

A high salary is economy when it purchases ability which enables the public corporation not only to pay the man, but to secure results and produce a profit instead of the usual yearly deficit. It is not a matter of extravagance or erroneous business policy to pay the head of a private corporation, numbering its assets in the millions, an excellent salary. No more should it be unsound policy to pay well a man who administers a public corporation of like tangible value, and of far more import to the citizens, who are stockholders in it in a thousand intangible ways. For the very life of the citizenry itself is bound up in the sane determination of the city's affairs. It is a vital fact of existence itself which demands that we should pay the price, if we only secure that efficiency which means health and protection and the opportunity to produce as we should. Both business and social reasons proclaim it a wise thing indeed to pay well a competent man who will make these things possible. Believing this to be true, the little city of Staunton pays her manager $2,500 per annum; Sumter pays her manager $3,300; Springfield pays $6,000; and Dayton pays $12,500. These are goodly annual sums, but if the theory of the new government upon which these salaries are paid is carried out, there will be ample justification in the resulting economy.

The selection of manager devolves solely on the commission. It is a very vital task and one of profound moment to the people. It is of telling importance to the commissioners themselves, for their success as a body depends largely upon the qualities which the man they select possesses.

It behooves then to weigh with exceeding care this, the chiefest officer in the municipality, and to cull out from those proposed for the office all the ineligible, and to secure the fittest remaining. It is true that they are at liberty to remove him at will, but this may not always be a practical power and may not always be exercised in time to prevent the fruition of his wrongful acts. Theirs is the option either to let him alone so long as he conducts the affairs of his office satisfactorily to the people and to the commission or they must completely remove him from office. They do not have the privilege of retaining him in office and directing the methods that he may pursue for the achievements of results. Further than this, of course, the city manager is always subject to recall directly by the people. This affords the commission a peculiar advantage. In case affairs are not

conducted properly, and it is apparently the fault of execution, and not the fault of legislation, then the commission, who are solely responsible for the inauguration of policies and plans, are exonerated from blame, and the people can vent their wrath upon the city manager alone if they so desire.

Powers.—Unique are the powers of the city manager. In him are concentrated all functions of appointment, of control of employees and advice to the commission. In the Dayton and Springfield plans the power is so extensive, particularly in the former city, that the term "controlled-executive" is hardly applicable any more.

One thing is evident. His methods of achieving results are uncontrolled. The end, not the means, is the objective in these modern instruments of government. The powers and duties of chief executive of the modern American city are, therefore, quite unprecedented.

The charter of Springfield enumerates succinctly his powers in the following manner:

"(*a*) To see that the laws and ordinances are enforced.

"(*b*) Except as herein provided, to appoint and remove all heads of departments, and all subordinate officers and employees of the city; all appointments to be upon merit and fitness alone, and in the classified service all appointments and removals to be subject to the civil service provisions of this charter.

"(*c*) To exercise control over all departments and divisions created herein or that hereafter may be created by the commission.

"(*d*) To see that all terms and conditions imposed in favor of the city or its inhabitants in any public utility franchise are faithfully kept and performed; and upon knowledge of any violation thereof to call the same to the attention of the city solicitor, who is hereby required to take such steps as are necessary to enforce the same.

"(*e*) To attend all meetings of the commission, with the right to take part in the discussions but having no vote.

"(*f*) To recommend to the commission for adoption such measures as he may deem necessary or expedient.

"(*g*) To act as budget commissioner and to keep the city commission fully advised as to the financial condition and needs of the city.

"(*h*) To perform such other duties as may be prescribed by this charter or be required of him by ordinance or resolution of the commission."

The city manager in this city is also empowered to act as the platting commissioner. This is of particular import in these days when it is very advisable to have uniform method and plan of arranging the city. City platting has become a science in itself and should be administered by an expert who has wide knowledge of the needs of the city, its urgent demands and the possibilities for the future.

Dayton empowers her city manager in the following manner:

"(*a*) To see that the laws and ordinances are enforced.

"(*b*) To appoint and, except as herein provided, remove all directors of departments and all subordinate officers and employees in the departments in both the classified and unclassified service; all appointments to be upon merit and fitness alone, and in the classified service all appointments and removals to be subject to the civil service provisions of this charter:

"(*c*) To exercise control over all departments and divisions created herein or that may be hereafter created by the Commission;

"(*d*) To attend all meetings of the Commission with the right to take part in the discussion but having no vote;

"(*e*) To recommend to the Commission for adoption such measures as he may deem necessary or expedient:

"(*f*) To keep the Commission fully advised as to the financial condition and needs of the city;

"(*g*) To perform such other duties as may be prescribed by this charter or be required of him by ordinance or resolution of the Commission."

As exact knowledge of conditions in the departments and among the employees is one of the requirements or one of the basic ideas in the new city government, it is quite in keeping to direct that the city manager may without notice cause an extensive investigation into the affairs of any departments under his control or the conduct of any officer or employee. This power of the manager to investigate is coupled with the power to compel the attendance of witnesses and the production of books and to punish for contempt in order to enforce the carrying out of his orders made in such manner.

In Hickory, North Carolina, the charter sets forth the powers of the city manager, not in an orderly fashion as in the well-drawn charters of the larger cities, but in an equally effective way. The powers it enumerates are about as follows:

(*a*) He shall attend all meetings of the council and make recommendations thereto and furnish information to it as may seem necessary within the wisdom of council or manager.

(*b*) He shall require an accurate report from those beneath him in various departments as to the performance of their duties.

(*c*) He shall sign all contracts, licenses and other documents on behalf of the city.

(*d*) He has the power of investigation.

(*e*) He has the power of revocation of licenses pending action of the city council.

(*f*) He has power over public works and buildings, construction of public improvements, as highways, bridges, etc.; he has control of public utilities, whether publicly or privately owned; and he has charge of all the water supply and sewerage systems.

(*g*) He has power to suspend, fine or dismiss members of the police, fire, waterworks, sewerage and street departments in the interests of discipline.

(*h*) He shall submit a list to the city council from which are to be appointed for the term of one year the officers and employees of the police, fire, street, water and sewerage departments.

In LaGrande, Oregon, the provision as to the power of the city manager is a very general and consequently a very excellent one. In this city the general manager, so called, has absolute control and supervision over every office and the employees therein, except the commissioners and the municipal judge, and has power of appointment of all other officers. He has the power to discharge his appointees with or without cause. He is to see that the business of the corporation is transacted "in a modern, scientific and business-like manner." He is to keep records like those kept by a private corporation. He is accountable to the commission for results.

From an analysis of the foregoing respective charters in the matter of powers given the city manager, the following are apparently the general powers usually conferred upon that official:

(*a*) He is charged with the enforcement of laws and ordinances.

(*b*) He administers the affairs of the departments and is responsible for the results obtained therefrom.

(*c*) He appoints and dismisses the employees whose work will produce the results he is responsible for.

(*d*) He advises the council and attends the meetings for that purpose, supplementing his advice with formal written reports, but he has no vote.

(*e*) He estimates the financial needs of the corporation and acting as expert budget maker he is financial adviser of the commission.

(*f*) He has the general powers of investigation and is the general agent of the commission.

Control of Salaries.—In the discussion of the departments, many of the limitations to the authority of city manager have been already considered, but there are a number of miscellaneous powers untouched upon. In city government, no less than in war, a control over the payroll of the active participants, as the officers, is a potent thing. With the exception of department heads, direct employees of the commission, police and fire force, and board members in the unclassified service, all the vast number of remaining employees and officers have their compensation fixed virtually by the city manager. This is true of one charter at least, that of Dayton. And in this instrument it is still further wisely provided that uniform salaries shall be paid for like services, as such services shall be graded by the city manager in harmony with the civil service rules. Upon being so fixed, a report is made to the city employment officer of the size of salary for the particular office. In fixing the limit of these salaries the amount of the bond which the particular officer may be called upon to give for the faithful and honest performance of his duties is also determined by the city manager.

Financial Control.—The city manager should properly be in intimate relationship with the curtailment of expenditures. He should be in daily contact with the sources of income and outgo, for he is the expert financial adviser of the commission, often a member of the sinking fund board, and takes an active part in preparing the budget. It is therefore provided, in one case at least, that no warrant for the payment of a claim shall be issued by the city accountant until such warrant is countersigned by

the city manager as well as by the head of the department incurring the expense. Furthermore, "each order of purchase or sale," is "to be approved and countersigned by the city manager or his deputy" before the city purchasing agent can close a purchase or contract. The letting of contracts in this same charter is checked by the necessary approval of the city manager and commission before the award can be made, whenever the contract is made for an amount over $500. The same charter provides that the city manager shall be a member of the board of revision of assessments; this is certainly an excellent provision, for it gives the city manager an intimate knowledge of the income of the city on the side of taxation.

No other charter provides so liberally for control by the expert. It commends itself as a most sensible provision, for it gives the controlling agent in the government the whip hand to get results. Under the old system remonstrance or removal—if removal were ever accomplished when the culprit had political friends—was the sole means of relieving inefficiency. The city's money is paid for results, and if in the judgment of the man seeking them, they are not being obtained, there should be less pay or no pay. It is characteristic of the new order that employees are hired to produce, and not to become merely of more or less decorative value.

Appointive Power.—It will also be noticed that his appointive power is very generous in all the charters. For instance, in Hickory, North Carolina, he furnishes a list of candidates from which are selected officers and employees, in the police, fire, street, waterworks and sewerage departments. This provision is weaker than those usually made and does not seem to be in keeping with the spirit of the plan. The officials so appointed are only to hold office for the meager tenure of one year, and that is probably not long enough for the personnel to take hold heartily of their work as a permanent thing or devote their best energies to it. It also makes difficult the securing of really competent men, for a competent man does not like to have his best efforts cut off at the very time when they are beginning to bear fruit. If the manager is to be responsible, he should be entitled to a chance to do things right as well as a chance to do things wrong which would bring blame upon him. Under this plan he is responsible, without having the power to do things which would make him justly liable, for his employees are in a

large measure not of his appointing, and those who are, are only there for a short period.

In Dayton, the city manager appoints two general classes of men. The class of major executives serve as heads of departments, as the city attorney, director of public safety, and director of finance. He also appoints the minor executives or those subordinate to the heads of departments, as the health officer, chief of police, fire chief, city accountant, city treasurer and purchasing agent. He may generally select for his employees men resident anywhere. He is expected to achieve efficiency and there is no restriction as to the place in which he may seek a competent man to fill the position he has in mind,

In Springfield, all others than those appointed by the commission and enumerated in a prior discussion of that body, are appointed by the city manager. Springfield has not gone as far in her charter as other charters have in the freedom of appointment which is usually conferred upon their chief executive. For the same reason that there is an error in the charter of Hickory, North Carolina, there is an error in the Springfield charter in restricting the manager in this fashion, for his appointive and removal power is a very potent thing to enable him to secure the results the city expects him to achieve.

In LaGrande, Oregon, the city manager appoints the city recorder, city treasurer, city attorney, chief of police, fire chief, city engineer, superintendent of waterworks, health officer and street superintendent. These men are subject to recall by him, with or without cause.

In Phoenix, Arizona, the city manager appoints the city clerk, city treasurer, city assessor, city collector, city attorney, engineer, chief of police, fire chief, and superintendent of streets.

Location of Appointive Power.—In this particular the prudence of the framers of the Dayton charter is exhibited. This scheme of division of powers, set forth in that charter, justly entitles it to the claim of preeminence over all other contemporaneous charters. What more in keeping with the innate justice and business like spirit which pervades the new order than to hold the city manager responsible for the complete execution of the trust which is devolved upon him as a public servant? We concentrate the power in him and we look to him to justify our confidence. Yet this very spirit of righteous justification would be a mockery of itself if we did not put it in the power

of the man to whom we apply such an acid task to discharge ably the tasks he assumes. The means of discharging the trust must lie in the personnel of the departments over which he exercises so radical a control. The Dayton charter, therefore, provides that the city manager shall have a very wide and generous scope to his appointments. He has absolute control over his departments, and absolute power of appointment and removal, with or without cause, provided only that he does not act in conflict with the civil service regulations. It is simply a question of the commercial world of how to produce the best results, and an application of the experience of private enterprises that important executives must not be hampered in their means of affecting tangible achievements. It is evident that this must be inevitably the order of affairs if we expect the city manager to write efficency with a majuscule.

Conclusion.—In this type of officer, the personnel of the new profession is exemplified. It is a far cry from the day of the inefficient amateur to the precisive professional administrator: the annals of civic progress embrace many a weary recital of sloth and indecision of bad judgment and wilful carelessness. This must be no more. Sincere efforts are now under way to keep a clean record in the future. Above all and beyond all, the idea that ability to direct a city's destiny is a God-given gift common to the politically chosen is meeting its Nemesis; we are living now in a more sophisticated time when the sugar-plums of political quackery no longer satisfy the jaded popular taste. This nation-wide desire for knowledge and publicity and simplicity is garnering its significant fruits of efficiency, economy, and centralized administrative authority. We are indeed on the threshold of the dawning of a new day for a new profession. May its history record a generous fulfillment of its fortuitous beginnings.

THE THEORY OF THE NEW CONTROLLED EXECUTIVE PLAN[1]

The recent adoption by Sumter, S. C., of a new type of commission plan of government with the appointive city manager, is important. It is the first time in the United States that a municipal chief executive has been made appointive and put

[1] By Richard S. Childs, Secretary, National Short Ballot Organization. National Municipal Review. 2: 76-81. January, 1913.

under continuous control instead of independent and under intermittent control.

Pending the appearance in America of this principle, the short ballot movement was headed for a stone wall. For in demanding the reduction of the mischievous multiplicity of elective offices, we are met by the question "what offices would you make appointive and who would appoint them?" The natural and easy answer is to follow the tendency of the times and advocate casting all appointive power on the nearest chief executive. In New York state, for example, the New York Short Ballot Organization has presented constitutional amendments to the legislature, the effect of which is to give the governor control by appointment over the rest of the state ticket, namely, the secretary of state, state treasurer, attorney general, comptroller and state engineer and surveyor. It is easy to point to the parallel of the United States government for justification, or to the state of New Jersey.

The matter of safeguards on the appointing power is brought up. The politician takes it for granted that the state senate will have power to confirm or reject the appointments of the governor. The New York amendment, however, recognized the fact that the senate habitually utilizes the power of confirmation to accomplish a theft of the whole power of appointment. Forthwith, the responsibility of the governor for the appointments becomes something of a myth, and public control is baffled by the inability of the people to know whether it was the governor who made a given appointment, or some senator. For while the number of rejections by a senate may apparently not be large, the real number of rejections is very large indeed. The governor may not even informally ask the senators, or the boss who rules them, if this or that nomination will be acceptable, knowing well the limitations which the politicians will set upon him.

The history of the president's appointive power and its constriction by "senatorial courtesy" shows evils similars to those in New York state.

Likewise, in cities where the council must confirm the appointments of the mayor, an interchange of authority occurs and the council soon controls the patronage without the corresponding responsibility.

With such cases in mind, the New York Short Ballot Organization drafted its amendment so as to give the governor power

to appoint these minor state officers, without confirmation, and with power to dismiss at pleasure. The amendment, consistent with this principle, went beyond the offices which are now elective and made the governor's power of unconfirmed appointment complete throughout the whole administration, so far as the constitution was concerned.

The mayor of New York City has similar power over all the department heads. He may appoint and remove without oversight by anybody, and this is considered one of the most modern and progressive features of the charter.

The National Municipal League's model charter conferred this absolute power on the mayor.

This is the present orthodox principle among reformers. The purpose is to clear the lines of responsibility from all entanglements; to make it impossible for an official charged with neglect to say that it is at least better and safer than the confirmation instead of many-headed.

The opposition promptly complains that this is over-concentration of power. The politicians, fearful of the appearance of any machine except their own, argue that the chief executive would use his enlarged patronage to build up a new machine. Of course, we answer that a new machine once in a while by way of variety, might be a good thing and that we would have the boss of the new machine right where we could hit him full and square.

Nevertheless, it is my belief that there is a measure of soundness in the opposition to uncontrolled appointive power that we must eventually give to the opponents of it a better answer than to say that it is at least better and safer than the confirmation plan.

In no other democratic country do the people subject themselves so to the mercies of individual caprice as we already do. And, as I have shown, reformers are ready to carry it still further. In many of our cities it may fairly be said that the mayor holds half the city power within his personal grasp. Certainly if we take into account his ability to misuse patronage and veto like chessmen, the mayor comes pretty near being a majority in many of our city governments. In this matter we are unique among the nations, and it is curious that a country which appears most afraid of a strong government, and in which the Jeffersonian idea appears dominant, should be the one in

which single individuals are entrusted with greater uncontrolled power than anywhere else in Christendom.

An instance of the dangers involved is New York City where the mayor recently had it within his power to upset the subway situation whenever he pleased, and frequently it seemed to the people of the town that he was likely to do so. He expressed opposition to what he called "cornfield routes" for subways and wanted the new tubes built where there was already the greatest number of passengers. If that one man had happened to be impervious to argument, future generations in New York City might have been condemned to live upon an insignificant fraction of the land which lay within a few miles of city hall, with congestion piled on congestion, instead of congestion being relieved by the opening up of new spaces.

Similarly, the mayor of New York was charged with responsibility for an epidemic of crime, by reason of his causing sharp punishment of policemen who ventured to use their clubs. Matters reached a point where a gang of toughs could successfully forbid policemen to pass beyond the corner of a certain carbarn.

After the terrible Asch factory fire in New York, two important bills aiming at fire prevention, came before the mayor for acceptance. One represented the best thought of the public spirited citizens of the town and the most careful draftsmanship. The mayor, without giving anybody a chance to explain, rejected it because he thought his pet enemy, Hearst, had prepared it, and proceeded to sign the inferior measure.

Whether my statements are just to the mayor or not, it is obvious that things fully as serious as this are easily conceivable, and a plan of government which permits the whims or failings of a single man to swing such vast interests, even temporarily, is not thoroughly sound.

The chief ground for complaint against the uncontrolled-executive plan is, however, not its perilous strength, but the fact that the presence of these obvious perils compels us to withhold from our administrators the powers they need. They need not only complete undivided appointive power, but power to use their own discretion, power to make new rules, as they go along, to fit new situations, power to be agents instead of dummies of the law's minutiae.

Our municipal, state and national legislatures now must undertake to control by continuous and detailed legislation a

multitude of highly technical matters which ought to be left to empowered administrative experts. The legislatures cannot safely delegate their powers to administrators because they cannot hold the administrators answerable for results and subject to punishment.

The New York city government undertakes to prevent such holocausts as the Asch fire. There is a new fire prevention bureau, placed according to current orthodox theories, under the mayor's single control. The fact that the mayor is independent and uncontrolled makes it impossible to confer the vast necessary powers upon the fire prevention bureau without running the risk that those vast powers may be used improperly under a weak or opinionated executive, in which case there would be no appeal and all hope of reform must be hazarded upon the personality of the next mayor.

Another great and vital feature of local legislation in New York City is the building code. At present the aldermen make it and the mayor approves and administers it. The present method has developed great scandals and the code is chronically out of date and unfair to business and costly to the people. The right method would be to have an appointive administrative building code board, served by an expert bureau and empowered to enact the code and keep it up to date and enforce it. If we attempt this at present we have three unhappy alternatives: (1) To let the mayor have the whole responsibility for the building code board with right to dismiss the members and appoint new ones at pleasure. This overstrains our willingness to depend on the wisdom of one man. (2) To let the mayor appoint, subject to confirmation by the council. This forks the line of responsibility and the principle has proven mischievous in practice. (3) To let the mayor appoint the building code board but give the members long terms in rotation so that no one may or can alter a majority of the board in his term. This puts power beyond prompt popular control, prevents the retrieving of mistakes in appointment, and delays and baffles attempts at improvement as well as attempts at corruption. Thus Governor Wilson has been almost impotent in certain important matters which he was elected to carry through in New Jersey, because certain of his so-called subordinates have protected tenures and silently defy his efforts to install new methods. The people cannot be expected to analyze his excuses and duly hold him blame-

less. He has no redress and neither have the people and there is nothing to do but wait for the years to roll round before reform can be effected. Power ought not thus to be delegated beyond control of responsible representatives of the people.

The recall puts a touch of flexibility into the plan of electing independent chief executives. So far as the recall goes, I favor it. But it is at best, clumsy, unwieldy and expensive. The horse needs a hand on the rein. It is not always wise to give him his head and then unhitch him and buy another horse if he turns off the road to nibble the grass.

Upon a state legislature or a city legislature, i.e., a *group* of men who act in group, we willingly confer greater powers than we dare give *one* man, and all these large powers can, without diminution, be boldly and flexibly administered through a *controlled* chief executive.

Such is the new office which has just been created in Sumter, S. C. The new charter of this little city (10,000 population) modifies the commission plan by making the commissioners act as a board, never singly, and perform all executive work through an appointive city manager, who holds office subject to their pleasure. The city manager may be hired from out of town and is simply the expert servant of the commission.

Suppose New York adopted this plan by enlarging its present board of estimate and making it a supreme board of directors with no other elective officers to detract from its authority. That board of directors could hire a chief executive to carry out all its orders in proper co-ordination. There could be under this continuously controlled executive a building code board and a fire prevention board, for instance, to which could be safely sublet all the powers necessary to the proper regulation of buildings and the prevention of conflagrations. Then the public would have the right to disregard all details and simply hold the directors responsible for results.

After the Asch fire nobody suffered politically except George McAneny, the borough president, and he was not responsible at all. But if a building burned and people died in it the public could with perfect justice demand of our proposed board of directors—"What did you let this happen for? You had plenty of power to prevent it!" And the directors, apologizing, would turn privately to their city manager and repeat "What is the reason? Did you appoint real experts or amateurs on that fire

prevention board? Didn't you have inspectors enough? Or money enough? What do you need to prevent another fire?" And the manager, fearing lest he lose his job for having thus gotten his superiors into trouble, will tear things loose in the fire board to locate and punish the cause of the inefficiency and see that proper new provisions are made to prevent forever the repetition of any such disaster.

We cannot secure such a condition now because we dare not give to an uncontrolled executive such vast administrative discretion.

The controlled-executive plan filters everything through a group. It reduces the personal equation. Without loss of administrative unity, it abolishes one-man power. A single man may have his ups and downs, his freaks and fancies, his militant points and his passive ones, his natural bents and moods, his pet departments and projects. A board, or commission, or council, or parliament, has none of these things—to a group such excesses are relatively impossible. Even if all the members were cranks, their combined judgment would be reliable—they would neutralize each other.

This plan corresponds to the general manager under the board of directors in a business corporation. It gives the stability of the combined judgment of many men on matters of policy, but leaves execution to a single-headed controlled executive establishment.

The controlled-executive plan goes far beyond the recall of the mayor. Its executive can be bounced out of office in less time than it takes to print the blanks for a recall petition.

There are many other weaknesses of the independent executive plan of government, all of which are corrected by the controlled-executive idea. I will simply name them.

1. The independence of the executive destroys continuity of the administrative policy. One mayor is a crank on finance and taxes, and devotes his attention to improving those matters, to the neglect of other departments which do not interest him. His successor leaves the financial reforms uncompleted and follows his own hobby of parks and schools.

2. Election of administrators is unsound in principle, for the choice of an administrator is no more a natural popular function than the choice of an engineer or a landscape architect. Ad-

ministration of modern cities is an expert's job and the best experts are not necessarily good vote-getters.

3. The independent executive constitutes a separate city government and the attempt to compel him to work in harmony with the other "city governments" creates a costly and cumbersome mass of red tape. The council, for instance, in appropriating funds for the mayor to spend, will try to regulate the details of the expenditure, thus perhaps compelling what later in the course of the expenditure may be found to be extravagance or unwise economies or misdirected work.

4. The independence of the executive destroys unity in the government. A city ought to have one government, not several. Pulling and hauling, deadlocks, friction and delays, trading of influence and the need of a boss to hold the ramshackle together and make it progress—all result from two-headed government.

Putting a chief executive under continuous control of a responsible group of men abolishes these evils. A moment's reflection will show that it is the universal plan in corporations and in all associations employing paid servants. It is likewise a standard plan in governments outside of the United States.

In foreign countries the parliament elects and controls the prime minister, who in turn controls the administration. The magistrat of a German city, with general power of appointment over the whole administration, is hired by the council and subject to continuous control by it.

I believe the best way to go about getting this idea into practice is by giving encouragement to the wide spread adoption of the Sumter plan. This plan, if successful in cities, will in time, spread to counties and even to states.

PROFESSIONAL STANDARDS AND PROFESSIONAL ETHICS IN THE NEW PROFESSION OF CITY MANAGER[1]

Professional Standards

The first question before the house is, "What is a city manager?"

It is obvious that everybody who calls himself a city manager

[1] By Richard S. Childs, Henry M. Waite and others. In National Municipal Review. 5:195-210. April, 1916.

is not necessarily a real one. It is obvious that the title of city manager conferred upon a given office in a city charter does not necessarily make the incumbent really a city manager or entitle him to admission into a scrupulous city managers' association as a member of the profession in full standing.

A certain city in Tennessee, for example, had an officer known as the city commissioner, who had considerable work to do in connection with public works. The council passed a resolution which ran substantially as follows:

Whereas it is getting to be the fashion for up to date cities to have city managers, and,

Whereas it will make..... City look like an up to date city to have a city manager,

Therefore, be it resolved, that the title of the present commissioner be changed to city manager.

To be sure that officer had little or no appointive power, was completely excluded from some of the most important city departments, and despite his title, could not in any sense assume to "manage" the city, but the council nevertheless forwarded a copy of the resolution to the Short Ballot Organization and evidently expected to be listed thenceforth among commission manager cities, and no doubt the city manager of that town considers himself a full-fledged city manager.

Titusville, Pa., has a so-called city manager, but he is only the manager of part of the departments. The police department, for example, is not under his charge at all. He is in reality simply a superintendent of public works. In San Diego, Cal., likewise, the powers of the city manager and the experience and training which he is getting are very incomplete.

Another set of cases is the cities which have a city manager subject to divided responsibility under a mayor and council of the old-fashioned type. In some cases the manager is appointed by the mayor. Such a framework of government, lacking so many of the basic principles which are essential to good government in the long run, is very liable to get into trouble from time to time and to give to the true commission-manager plan and to city managers, an undeserved bad name.

Should not the City Managers' Association, anxious to establish high and sound standards for membership in the new profession, exclude such managers, or set them apart as being not quite the real thing?

Again, what is a "city?" Shall the future manager of Podunk (pop. 900) stand on a professional parity with the future city manager of Boston?

Here's another teaser. Some commission manager charters require the manager to be chosen from among local talent. This provision denies the existence of the profession and in effect insists that the manager must be an amateur. City managers chosen under that provincial limitation will not in the long run be an ornament to the profession. Shall such a city be encouraged to believe that it has the whole genuine modern plan of government?

The City Managers' Association has already adopted a definition of city manager and admits to its membership "any one who is the administrative head of the city appointed by its legislative body." At the present stage of development this rather easy-going definition is acceptable, for of course there are so few city managers in the country at present that it would be difficult otherwise to make up a satisfactory membership list. However, it seems to me that a stricter standard will eventually be necessary and I offer the following unasked fatherly advice to the city managers:

The association should co-operate in every possible way to insure the success and fullest development of the true commission-manager form of government. They can do this very effectively and inexpensively by the simple expedient of refusing to grant full membership and full rights to any city managers except those who are really managing real cities under charters which give full opportunity for the success of this form of government as well as for the success of city managers who must work there.

I suggest the following membership principles:

I. Full membership: Any person of good repute is eligible for election to full membership in the City Managers' Association who has been for two years an appointive chief executive of a municipal government, under an approved charter.

An approved charter must provide substantially,

(1) That all the powers of the city shall be reposed in a single elective governing body;

(2) Said governing body shall elect and direct the city manager;

(3) The city manager shall not be required to be a local resident at the time of his election;

(4) The city manager shall be chief executive of the municipal administration with appointive power over all city departments.

A member meeting the above requirements shall be styled "Member of the City Managers' Association," Class A, B, or C, 1910 census.

Class A, Managers of cities of 100,000 pop. and over (50 cities).

Class B, Managers of cities of 30,000 pop. to 100,000 (119 cities).

Class C, Managers of cities of 8,000 pop. to 30,000.

II. Associate membership: All other city managers as per the present board definition, including the managers of municipalities under 8,000 population, may style themselves "associate members" of the association, Class A, B, C or D, D being the division for towns of less than 8,000.

The two year minimum experience qualification shall be waived until 1920.

The influence of such action on the part of the city managers would be of incalculable value in keeping city charter makers on the right track. It may seem impossible that such a detail is capable of controlling the city charter movement in America, but it is. Even the mere statement of the Short Ballot Organization that such-and-such a proposed provision in a city charter would exclude the city from our official list of commission-governed or commission-manager cities, is often enough to kill off undesirable modifications. Nothing is juicier meat for the local opposition than to be able to say that the writers of the proposed charter have erred so grievously that yonder national organization refuses to grant it recognition as a commission charter at all. To the charter revision commission that ignorantly, or for political reasons, attempts to emasculate the commission-manager plan, we would like to be able to say—"your freak scheme is so unsound and so far afield from the principles of this modern idea that your city manager will not even be eligible for full membership in the city managers' association." It would work like magic; and it would do wonders to bulwark the fundamental necessities of the new profession.

To insist that managers must have appointive power over all the administrative departments does not exclude managers in cities where the charter excepts a few odd minor officers from the manager's control such as corporation counsel, city clerk, assessors or police judge, for these officers are not necessarily integral parts of the administrative establishment. The provision does, however, prevent some future city from hiring a manager of ten years' experience from another city and finding that he knows nothing of police problems. Such situations would tend to bring the professional managers into disrepute.

Dividing the managers into classes looks far forward to the time when they will naturally separate themselves into appropriate groups for discussing common technical problems. It may seem too early to do this now. I am afraid it is too late. It will require some anguish for the manager of a breezy little western tank town to say "aye" on a motion that relegates him to "associate member Class D," for the good of the profession!

To require that a manager must be of good personal repute gives the association the power to exclude or expel a manager who has been involved in scandal.

Professional Ethics

A city manager who does not frequently know better than the people of the town or the commissioners what is good for them is a pretty poor city manager, but the people may not want what is good for them and it is not the city manager's business to jam it down their throats. No doubt there are towns where on a clear cut referendum the electorate would be likely to vote that all administrative offices, large or small, must be held by Republicans. The city manager knows better, but should he appoint a Democrat? How is he to determine whether or not he may venture to do it? The charter provides a guide for him. If a certain five or seven local citizens who have been elected for that very purpose of serving as fair samples of the ignorance and prejudices of the town, permit him to appoint a Democrat and will take the responsibility, then and not otherwise he may go ahead and do so.

The city manager is not called in to reform the city—that is the work for its citizens. He is called in to give as good an administration as he can persuade the commission to stand for. He may yearn to go further, to give them single tax, or strict

law enforcement, a closed and dry Sunday, an efficient full rate assessment system, a non-political set of appointments, a less gaudy lighting of Main street, or a wholesome water supply, but if he cannot make these things seem worth while to the commissioners, he must stay his hand and bide his time.

He is the servant of the people first and always, but he has no authority to seek or interpret orders from the people direct—only through the commission. Suppose in his opinion the commission distorts those orders and instructs him to act counter to the popular wish? Is it his job to obey, provided no moral turpitude or deception is involved?

Take the case of R. C. Horne, ex-city manager of Beaufort, S. C. He had a brief dime-novel career there involving risk of his life and his story of his adventures and discoveries in that backward little burg would make a most enlivening contribution to the literature of the commission-manager movement. He undertook to reform the town in spite of the commissioners. Certain features of the tax laws had never been enforced with the result that numerous property owners in the town were, technically at least, heavily in arrears. He took it upon himself to revive these dead letter laws and made a sudden attack upon the leading bank, the president and cashier of which constituted two of his three commissioners, with a policeman, a warrant and a demand for $10,000 of back taxes. So there was a fight, a recall election and a political upheaval in which he became the popular leader of the so-called Horne forces. Incidentally, of course, he lost his job and was supplanted by another manager of different disposition.

Query—Did Horne do right?

I say it was right enough if he felt like doing it, but quite outside of his profession. If he had been mayor of that town the whole fight would have been within his clear field of duty. But he was not mayor—he was city manager. He stepped out of his profession, just as much as did the local physician and the local lawyer who helped him. He was frankly insubordinate. He took what was for one in his position a disorderly way to rectify a wrong. The orderly way would have been to present a formal proposal to a public meeting of the commission explaining openly and clearly the situation as he saw it. The commission would have to find an excuse for turning him down and would do so. The manager would then have his personal record

clear. Unofficially he could privately call the attention of some of the local citizens to the incident and even wink in doing so, thus being personally disloyal, but not officially disloyal, to the commissioners who have no right to expect him to keep secrets for them. If a newspaper asks for an interview, he may officially restate the facts of the case, offering no opinions. Then it is up to local citizens to start something. Such a method is slower and less sensational. In some cases it would be less efficacious, in others more so. At any rate it is, I think, the professional way.

I am not prepared to contend that Mr. Horne's spectacular raid into Beaufort politics did not do Beaufort lots of good, nor do I contend that any less spectacular method could have succeeded, I only contend that it does not furnish a sound precedent for the profession.

Here is another case—Phoenix, Arizona. Manager Farrish, I understand, administered the town according to his ideals which were stricter than those of the commissioners. He demanded efficiency and economy of his subordinates and removed some politicians from the city service. The commission said "have a heart," but he kept going. He lost his job and the town was much wrought up about it for a time.

My theory of what should have been done in this case is this: When Manager Farrish had been given reason to think that his energy in kicking out politicians from the municipal service was distasteful to his superiors, he should have brought up the next case at the next public commission meeting saying "Mr. John Republican, superintendent of the water works, does not report for duty on Mondays, takes a great deal of time off during the week, neglects his inspection of the reservoirs, and continued admonition has been ineffective. I feel that the good of the service requires his removal and unless the commission objects, I will put in a new man there."

That brings it out in the open. If the commission wants to take the responsibility of standing up for Mr. John Republican, let it do so. It is the best judge of what the people of the town will like. If the commission openly insists on "having a heart," it is quite likely that the people in the town who consider such a thing outrageous will be found to be a minority. The manager, of course, could have simply removed John Republican, knowing that it would make the commissioners mad even if they did

not dare say anything publicly about it—I take it that that is about what Farrish did do—but thereby the manager exceeds his true function. It may be very possible that the people, like the commissioners, are more interested in the sad fate of bibulous, glad-handed John Republican out of a good job with six pretty children dependent upon him, than in the dainty curved line with which the manager indicates the decreased cost per thousand gallons of water.

It is not the city manager's function to govern, but only to administer. The occasional manager who favors fixed definite tenure and power to defy the commission fails to comprehend the higher aspects of his job. It is not his function to blow into town and immediately implant in city hall all the ideals of the bureau of municipal research from which he graduated. Friends of this plan of government often seem to expect exactly that. His function is only to give as good an administration as the commission will take responsibility for. In a town that elects a machine-controlled bunch of political puppets, the manager must go slow and cautiously and be content with getting ready to do very much better as soon as the town is in a mood to elect a better commission.

Good government that comes to a town, unasked and unwelcomed, will be unstable and transitory. Reform that endures must be built up laboriously, piece by piece, upon a firm basis of popular sympathy and consent.

An Answer to Mr. Child's Paper[1]

It is necessary to accept the first part of Mr. Childs' paper as a criticism. Before criticism can be considered constructive, certain principles must first be established. Failing to observe any principles established as to standards and ethics in the city manager profession, I take the liberty of setting forth a few which are generally accepted.

The city manager form of municipal government is considered the nearest approach to the ideal form yet established. We can well afford to establish this principle, as the most ideal organization. The National Municipal League is writing a charter on that basis.

It will be agreed that cities will be governed precisely as well as the citizens deserve and desire; that successful govern-

[1] By Henry M. Waite.

ment must have the continued support of the majority of the citizenship; that the large majority of the citizenship must eliminate partisan politics from municipal affairs; that there must be a clear line of demarcation between legislative and administrative authority; that good government can advance and improve only so far as the majority of the citizenship is able to appreciate and understand it.

Therefore, the ideal government can be approached as nearly as the majority of the people are able to appreciate and understand it.

There are various grades of city managers, as there are various grades of theorists. This will always be true. Much that can be said in a sarcastic vein will lead away a great many people from the real issues, and is dangerous. The city managers have adopted a definition, which, for the present, meets all necessary requirements: "Any person who is, or has been, the administrative head of a municipality, appointed by its legislative body, is eligible for membership." The lines are broad, and must be at first, or there would not be any membership in the association. Theorists alone cannot establish successful results.

Wonderful success is being attained by city managers with varying authorities, under varying charters and under varying local conditions. The meeting on Tuesday afternoon was given up to five minute talks and each city manager gave the high points of his accomplishments. The representatives were of varying personalities, and have had various experiences from engineers to county clerks and to the president of a baseball league. Yet every one of them proved that with an earnest desire to accomplish results, coupled with application and sincerity, all reinforced by common horse sense, that they have accomplished practically uniform results. Any city manager, to be a success, must of course use common sense in his dealings both with the commission and with the public.

Mr. Childs absolutely confuses legislative and administrative functions through his paper. The City Managers' Association adopted the following: "Communities that, for any reason, cannot give broad authority to the executive are not ready for the ideal and should accept a more modified centralized authority, and not call it a city manager form."

A man accepting a position as city manager must govern himself in accordance with the charter under which he works.

If a commission assumes the administrative functions and designates that a certain man shall be appointed under the administrator, it becomes a question of the personality of the city manager as to whether he desires to retain the position under such circumstances or not. Personally, I think very few would; I should hope that none would. On the other hand, those in the performance of the administrative functions of the city should not insist on legislative enactments over which he has not, and should not have, any control other than in the way of a suggestion. City managers should work with their council or commission the same as an executive works with his board of directors. With the right disposition on the part of both much can be accomplished and there is no reason for a confusion of the responsibilities.

Mr. Childs mentions John Republican. If John Republican or Bill Democrat is brought up between the commission and the administrative head, partisan politics have not been eliminated from your city government, and such a city is not entitled to have a commission manager form of government, because it has demonstrated that it has accepted an ideal that is beyond the understanding and appreciation of its citizenship.

In any business (and the same applies to the commission manager form of cities) when the legislative body assumes the administrative duties over the head of the administrator it is time for the administrator to retire—good business and good results demand it. Personally, if such a condition arose, as used by Mr. Childs as an example, the city manager of Dayton would retire.

A great deal of the difficulty to-day in drawing charters is due to the fact that there has not been an accepted form. The National Municipal League is now drafting a charter on the city manager principle and we would urge all haste in getting this out as soon as possible, or in getting out parts of it as completed, as a guidance.

Much more can be accomplished in getting out such a model charter under such auspices than by haranguing in meetings over minor details that are of no ultimate consequence and liable to confuse the public mind as to the success of the principle of city manager form of government, and this is particularly true when such criticisms are promulgated by people who can only approach it from a theoretical side. It may be true, at some

future time, that it will be advisable to divide the city managers' association into two classes. At the present time we do not think that it is.

Mr. Childs uses the village Podunk of 900 population. Podunk managers (using the term as I presume he intends to imply to the city managers of the smaller communities) are accomplishing the best results under the greatest difficulties, as in Podunk the city manager is everything. The Podunks draw men not having wide experience, and yet every one of them is accomplishing definite and progressive results.

To obtain the best results from any association it is necessary to broaden your field as much as possible. It would be just as fair to put a limit on the intelligence and experience of the theorists, who may join the National Municipal League, as it would be to put a limit on members of the City Managers' Association.

The association is for the benefit of all of those who are struggling to make the practical application of the profession a success, and it can do the most good by giving the experience of the larger communities to the smaller communities, and I assure you that we have found in the larger communities that we have much to learn from the experience of the smaller communities. It is undoubtedly true that the city managers should not take their authority from the people, only from the commission.

As to the personality of a certain city manager which Mr. Childs has taken the trouble to go into, I will have nothing to say as there are those present who are more qualified to answer than I am, as we have one man here who is the successor of Mr. Horne at Beaufort. If any community elects, as Mr. Childs suggests, a machine controlled bunch of political puppets, I sincerely trust that such a commission may not be able to get anyone to accept the position of city manager.

The Discussion

MR. GAYLORD C. CUMMIN, City Manager of Jackson, Michigan: My views coincide entirely with those of Mr. Waite. I do not see how it is possible to set up any such standards as Mr. Childs has proposed; indeed, I cannot even sympathize with his point of view as to ethics. I think that at least one of the city managers, whose course he criticized, did exactly right.

CLINTON ROGERS WOODRUFF: I have been very much impressed while I have listened to the debates which have been going on, not only in this room, but in the committees and in the corridors, where some of the most interesting discussions are had by men who are very serious in their purpose—I have been impressed with this thought, that the profession of city manager is very much further along than some of us expected, a year ago, would be possible at this time. It is due to the splendid work which these men have been accomplishing in the very short time they have been at work, some of them under circumstances discouraging in the extreme.

I have been impressed with another fact, and that is the general good character of the work. Here we have two city managers who have gone out from Dayton to do effective work elsewhere; we also have the secretary of the large and effective Women's city club of Cincinnati, a product of what I might call, at the risk of being deemed facetious, the Dayton University. The men who are engaged as city managers to-day are slowly building up standards for their professions. Those of you who are thinking of criticizing Mr. Childs' paper must bear in mind that the reply of Mr. Waite was almost equally facetious. Some of the finest notes of this week of conventions have been struck by the city managers who have but recently come into this work of governing our cities, upon higher and more ambitious lines. The note of democracy has been struck, and with no uncertain sound, by men who have gained their inspiration at first hand, in very difficult situations. It is no new thing to hear that note struck in the National Municipal League; it has been the dominant note very nearly from the beginning, certainly from the time the League began to find itself; but it is significant that in the new order of things the city managers, fresh from the difficulties of actually administering the affairs of American cities, should feel the same as men who have been working at the problem for many years. It may be true, as Manager Waite has said, that many of the members of the National Municipal League are theorists, but you will find in the personnel of this organization a great many men who have done actual fighting upon the firing line, under difficult circumstances. It is also a significant thing that the city managers have met here in the same city with the League, and that they have approached this

problem from almost identical bases, and the two are working together in a very effective way.

I had hoped that we might discuss to-night with these same speakers—and I trust that the opportunity will come sooner or later, preferably sooner—this question, "What should be the concept of city government in our cities?" For too many of our publicists and theorists, and even city managers themselves, feel that when the city manager is inaugurated in a city, that the municipal problem is solved. We must bear constantly in mind that this is only a good and adequate instrument with which to carry out the work of governing cities, and the larger idea of what constitutes the aim and the end of city government, what problems are to be solved, must still be threshed out in organizations more or less like the National Municipal League, even if we are theorists, for here is where sound theories are needed.

GEORGE C. SIKES, of Chicago: I had not intended to take part in this discussion, but I have been moved by what has been said here, and I think I have had sufficient experience to entitle me to speak upon this subject. For twenty years, I have been connected with civic organizations and with legislative bodies, and I think I know something about politics in cities; what can be accomplished, and what cannot be accomplished. I had the privilege of looking over Mr. Childs' paper before it was presented, and it struck me as excellent. I think this is just the time to say what he said. It is a little facetious, to be sure, but I am surprised that the paper brought the response that it did. The fact that it did bring that response, is to my mind the indication that we need this discussion right here and now, and we needed to have these suggestions brought out.

Mr. Childs is one of the best friends of the city manager system in the country. He has done more to help bring it about than any person I know of. Now, Mr. Childs wants to be in a position to make the city manager system go. He has had some experience in politics; he knows what political conditions are, and he wants to get something done. What does it profit to establish a fine system, if the city manager system, after it is established throughout the country, fails to appeal to the people, and then goes down like a lot of ten-pins because city managers take positions which these commissioners cannot defend before the people. If the city managers are taking exception to such

remarks as those of Mr. Childs in this place what is going to happen when they get out before the people?

Mr. Waite spoke of Mr. Childs as a theorist. He is not a theorist any more than any of the rest of us. We are all theorists, more or less, in certain subjects, and the city managers just as much as anybody else. As engineers they are entitled to the highest respect, but as politicians they may still have much to learn. I lost a job which I was holding once in order that I might get Bion J. Arnold into office in Chicago. Mr. Arnold was an expert engineer, but in politics he is a theorist, and had it not been for some of the rest of us this would have gotten him into trouble. Mr. Fisher and others who were government experts worked with him and kept things right. Mr. Waite is handling the affairs of Dayton in an excellent way as an engineer but, I take it, he knows enough not to mix politics with engineering, and he lets the commissioners attend to their part of the job. A city manager who cannot maintain in his mind the proper concepts of his relations with his commission and with the people must get out. Unless city managers take the proper view of these things, five years from now there will not be a city manager left in office in the country, or those now in office will be superseded by men who know how to get along with their commissioners. The city manager should help the people get as good government as the commissioners think the people will stand for.

MR. CUMMIN: What Mr. Sikes says as to politics represents Mr. Waite's idea and my idea exactly, namely, that politics should not enter into the situation at all. If I was ordered to appoint or ordered to discharge an employee simply because of his politics I would have nothing further do do with the commission and would resign.

OSSIAN E. CARR, City Manager, Cadillac, Mich.: I wish to endorse most heartily what has been said by Brother Waite and Brother Cummin. I would like to inquire just what profit it will be to any municipality to change its charter in order to eliminate politics, and then to go back into the rotten political methods.

MR. HARRISON G. OTIS, City Manager of Beaufort, South Carolina: I am the man from Podunk. If I may be allowed to indulge in child's play I should like to take the stand for the small city in the city manager game, and particularly for that

small city which is so handicapped by the state in which it happens to lie as to make it impossible for that small city to have an approved commission manager charter. I am from South Carolina. South Carolina has in its constitution a provision that no city officer shall hold a position in the state of South Carolina unless he has been a citizen for at least two years' residence. Where is your professional city manager, then, if a man cannot come in from another state and hold the position of city manager in the state of South Carolina? We have to contend with a position of delegated powers, and if a man can successfully contend with such a constitution, and develop all the gold that may be developed from a true commission manager city and to put that city on a business basis and get it running along business lines, he is deserving of a certain amount of credit. Now whether I be in class D of the third division or not, I maintain that there are more small cities in this country than there are large, and that the problem of city government as worked out in the small cities is a most vital problem.

I have lived in New York, lived there for several years, and when I suggested to my bureau of municipal research in New York last summer, that I was going to Beaufort, a town of some 3,500 people, I was laughed at, and was told that I could do all the work in two or three weeks; but I assure you most sincerely, that the work of remodeling a small city, putting that city on an up-to-date business plan, in the face of misunderstanding, and doing it so that everyone is satisfied, is "some" problem.

The small city is the laboratory for the development of this city manager idea, and is not to be overlooked. The work I have had to undertake there is work which I could not possibly have had an opportunity to find out about in any large city. I have had to remodel the whole city government, recodify its ordinances, dating back two hundred years, although they were burned up during the War; revamp its accounting system, and so on, and I want to remark that this matter of revision of accounting system of small cities is one that has been overlooked entirely by all theorists and a great many practical men.

Mr. Childs has brought out some very good things in his paper, and I agree with him most heartily as to certain ethical points. The manager certainly is the employee of the council. He certainly should not try to put things across over the head of his council. If the council attempts to do things he cannot stand

for, instead of rearing up and pushing them back the best thing he can do, it seems to me, is to get his councilmen one at a time into a corner and show them what is the right thing to do, and then get it done.

When I went to Beaufort, I found the city managership tied up completely into a sort of Gordian knot. They had as city attorney, a man who was a sort of antebellum fossil, who maintained that the city manager should have no power. We found that every department in the city said it was willing to have a city manager, but didn't want him in its department. So the city manager was without any power and had no standing at all as an officer of the town. Nevertheless, all the power in the city was turned over to me in less than forty-five days' time, although I came in under hostile colors and found a town split into two most hostile factions so that persons who had been friends for years would not speak to each other on the street. It is entirely because of my experience in the city manager game as gained in the theoretical university training at Michigan, I think, that with this application of diplomacy and horse sense, to borrow an expression from both sides of the house, I was able to accomplish the degree of success attained, and it seems to me that we must apply the same principles if the city manager plan is to be a success anywhere.

M. H. HARDIN, City Manager, Amarillo, Texas: I am the man from the water tank way out West, Amarillo, Texas. I fully agree with what Mr. Waite said in regard to the duties of the city manager and his relations with the commission, and I want to express my disagreement with Mr. Childs. I enjoyed his paper, but I happen to be a prime mover in the organization of the City Managers' Association; I sent out the call for that first meeting in Amarillo, Texas, in 1914. I realized that I needed co-operation, I needed to get in touch with other men engaged in similar work, in order that we might compare our experiences, become better acquainted with the situations we might have to meet in this new profession.

I think that the small city should be recognized just as much as the large city, and I fully agree with Mr. Cummin that the man from the small city is having the greatest difficulties by reason of the fact that he is unable to employ high priced help, and in a great many instances has to do all kinds of engineering and accounting work. For that reason a greater burden

falls on him. We have to devise our own system of records and accounts and to put it in operation and in a great many instances have to help to do the work. For that reason I hope that the small city will always be recognized in the City Managers' Association. I appreciate the efforts that the National Municipal League is making to help the city managers in their work, and I believe it is their endeavor to help make our work easier and to support the city manager plan of municipal government.

I think that Mr. Childs' statement was all right at this time. It brought out some points that otherwise we would not have had, and I appreciated it. I believe it will have a good effect.

Professor A. R. Hatton of Cleveland, pointed out that politics could not be eliminated from the city government, if by politics is meant the agency by which people of different opinions express their opinions in matters of government. He stated that the will of the people must be carried out by the city manager whether he believes in the principles expressed or not. We shall always have people grouping themselves along local lines, and thus dividing into political parties; but these need not and should not be confused with division into national parties upon national issues.

MR. FOULKE: I would like to ask a question of some of the managers. There is a problem now up, suggested by the civil service commissioners, proposing a new civil service law, and I want to see how it would strike the city managers, and how it would operate in manager governed cities. The proposition is to appoint a state civil service commission, by competitive methods. The governor is to select a special examining board, composed of three persons, first a member of some civil service commission, or examiner or secretary of a commission; second, a man who has been for at least two years engaged in employing men for some kind of professional or technical service; and third, a judge of a court of record. This board is to hold a competitive examination among applicants for the position of civil service commissioner, and is to appoint the highest upon the list. The man who is so appointed is to hold office by an indeterminate tenure, and can only be removed upon charges of misfeasance, or gross negligence, or conduct bringing scandal upon his office, after trial before a board composed of two nisi prius judges, and a third man appointed by these judges. This state civil service commissioner is to appoint by similar competi-

tive examinations the commissioners for the cities, these commissioners holding upon the same tenure, and this state commissioner is to have entire charge practically of the whole state service, and the city commissioner practical charge of the city service, in the matter of promotions, transfers, removals, etc. The power that has been exercised by the city manager in the right to dismiss subordinates would under this law be changed so that no subordinate could be dismissed except by filing charges with the city civil service commissioner. That commissioner, once appointed in this manner, is to have the entire and exclusive control of all the civil service of the city.

HORNELL HART, Milwaukee: May I ask also as part of the same question, whether the city managers think that civil service reform is necessary at all under a city manager, properly installed?

MR. WAITE: There must be for some years to come some of civil service protection. That protection should be in the appointing power. It is a great help many times in the selection of men, to have a civil service board of such character that good men can be turned into the service. In Dayton, we have called upon the civil service board to hold competitive examinations for positions which are not inside the civil service regulations at all.

But if you are going to look to an executive for results, he must have and should have the power of dismissal. You can strengthen the power of your government by giving this authority to an executive, who is building on a basis of efficiency and who stands on a record of efficiency. To curtail an executive in his management of the affairs of the city, by saying to him that he cannot dismiss his subordinates absolutely, is the beginning of the end of efficiency in that organization.

I cannot see how any man could tie himself up to an organization over which he had no control, so that he might not say to a man, regardless of how insubordinate he may be, how inefficient, that he would have to leave the service. You are not giving your executive an opportunity to carry on the affairs of the government in an efficient manner, and you cannot get efficiency if you do not have control of your organization.

MR. CUMMIN: I can strengthen what has been said by Mr. Waite, by calling attention to one easily conceived condition which might arise when the power of dismissal is withheld, for

that is what it practically means if you are obliged to get a hearing before a civil service commission on charges. Anyone who has ever handled bodies of men knows that the most dangerous man in an organization is very often the man who is not frankly insubordinate, who is not inefficient in the way that you can put your finger on him, yet he is absolutely dangerous in small things, for in ways that you cannot definitely locate he is disrupting your organization. It is worse than if you had a most inefficient man, because you can take such a man before the Civil Service Commission and show that he is insubordinate or inefficient or anything else. I do not see how you can get efficiency unless the power of dismissal is left with the executive.

As far as the other question is concerned, the more efficient the civil service board is in securing good men, I think the better the city manager would be pleased.

MR. HARDIN: I fully believe that every city manager we now have in this country is only too glad to secure the very best men that can be secured, and he is only too anxious to get rid of any dead wood he may have about his office force. The wise method, of course, of getting rid of the man who is useless is to have the power of dismissal; hence, if the manager is fully satisfied that the person is worthy of dismissal, he should get rid of him. Sometimes it is very difficult to prove charges. You know, we are very often fully satisfied that certain crimes have been committed, and that a certain individual has committed the crime, and yet it is extremely hard to make out such a case as would convict that man. The same condition will arise in an executive or administrative office.

MR. FOULKE: Mr. Childs is now entitled to the last word.

MR. CHILDS: When the subject was originally selected for this evening, another topic was chosen but I thought I could start a much better scrap on another subject. Accordingly, my instructions were to go ahead and get up a dog fight if I could, but I did not expect to be the bone!

A great deal has been said about theorists this evening. I am, frankly and absolutely, a theorist, and am proud of it. You know, the chief difference between a theorist and a practical man is that the theorist knows just where he wants to go, but has no facilities for getting there. The practical man gets there—and finds he is in the wrong place. I suppose some of you city managers, who have just picked your way out of the shell

and looked out upon the world and thought you discovered America, considered it rather an assumption for me to offer all this practical fatherly advice; but while the number of years involved are few, I want to have you know, without seeming to claim glory, that I was sawing wood on the commission manager plan years before any of you ever heard of it. The first city manager charter was drawn in my office, under my direction, and was peddled around to various cities, and was finally sold to the Lockport chamber of commerce and became known as the Lockport plan for a time. Some three or four years ago, at the Richmond meeting, this Lockport plan was the subject of discussion by one of our committees. Then Sumter, South Carolina, adopted it, and it become known for a while as the Sumter plan, but it was nothing more than what had been brought out originally as the Lockport plan. Accordingly, I hope I may be pardoned if I seem to act a little bit like an old hen with ducks when I consider where these plans are going to.

I did not mean to sneer in the least when I talked about Podunk. The small town, with a population under 8,000, is certainly important, for the people who live in those towns are the bulk of our population and the hope of democracy, and in that field there lies probably a more difficult and bigger work for social service on the part of city managers than in the larger cities. In the big cities the duties of the executives are more or less of the corporation type. On the human side, these smaller jobs are the big jobs, and the suggestion of calling the men from the smaller towns class A and the man from the large cities, class D, suits me perfectly. I did not mean to sneer at them. If I was so interpreted I am sorry.

There are a great many people, and some of them are city managers, who think that the city manager ought to have a definite status and a protected tenure in other ways, so that he could, if he wanted to, "sass back" at the commission over him. I want to say again that such a man has not the proper conception of his job. He is not at all in the same position that he would be as manager of a private corporation. He is dealing in this case with democracy. He is the agent of a commission which has been chosen by the people, and the very fact that there are conflicts shows that there are some city managers who do not realize that they are the agent of a community, not of a corporation. The manager should not assume to set up his own

standard. That is what makes the job a big job and a useful job; and I am glad to see that most of the city managers see that and feel that; glad to see that they realize that democracy comes first, efficiency and economy second; that their function is to carry out the popular will as it is expressed to them, not to seek to oppose or to control the current of public opinion.

LIEUT. SHAW, Norfolk, Va.: I should like to ask Mr. Childs this one question. He spoke of those little cities of 8,000 as constituting the hope of democracy. Is it not the fact that the germ idea of the city manager plan came from one of those little towns about three years before the Lockport plan was evolved?

MR. CHILDS: The idea of the city manager, not the idea of the commission manager plan, came from Staunton, Virginia.

LIEUT. SHAW: I merely wanted to get that little act of justice for Staunton, Virginia.

MR. CHILDS: I was the minister who performed the marriage ceremony between the city manager plan as first thought of in Staunton, and the commission plan in Des Moines.

FIRST ADVERTISEMENT FOR A CITY MANGER, SUMTER, S. C.

"October 14, 1912.

"The City of Sumter hereby announces that applications will be received from now till December the first for the office of City Manager of Sumter.

"This is a rapidly growing manufacturing city of 10,000 population, and the applicant should be competent to oversee public works, such as paving, lighting, water supply, etc.

"An engineer of standing and ability would be preferred.

"State salary desired and previous experience in municipal work.

"The City Manager will hold office as long as he gives satisfaction to the commission. He will have complete administrative control of the city, subject to the approval of the board of three elected commissioners.

"There will be no politics in the job; the work will be purely that of an expert.

"Local citizenship is not necessary, although a knowledge of local conditions and traditions will, of course, be taken into consideration.

"A splendid opportunity for the right man to make a record in a new and coming profession, as this is the first time that a permanent charter position of this sort has been created in the United States."

THE FIRST COUNTY MANAGER: A MODEL COUNTY GOVERNMENT[1]

On February 27th San Diego County, Cal., votes on a proposed new charter under the home rule provision of the California constitution, whereby counties are permitted to frame their own form of government just as the cities do. It is a most original and progressive instrument and exceedingly sound. It shortens the ballot radically, eliminating or consolidating about a dozen technical offices that are now elective. A board of supervisors nominated from districts but elected at large for a term of four years, in rotation (five at one time and four others two years later), is made the governing body of the county with authority to hire and fire the county manager under whom is concentrated the administrative business of the county. The sheriff and district attorney are the only other elective offices. The supervisors receive their actual expenses but no salaries. Sweeping powers are granted to the supervisors, sufficient, it would seem, to eliminate the need for special enabling acts in the future.

The manager, the coroner, county clerk, county counsel, public defender, superintendent of schools, treasurer, etc., are all appointed by the board of supervisors from the civil service commission's eligible lists.

Certain consolidations of offices are interesting. The coroner is made ex-officio the public administrator. The assessor is ex-officio tax collector and license collector. The county manager is ex-officio road commissioner and the county clerk is ex-officio registrar of voters, clerk of the board of supervisors and clerk of the superior court.

[1] Reprinted from "The Short Ballot Bulletin," February, 1917.

The civil service commission is appointed, one member by the governor, one by a majority of the judges of the superior court of the county and one by the board of supervisors, the terms being six years, expiring in rotation. They are removable by a vote of seven supervisors. Their support is guaranteed by a specific tax and practically all officers are put under their jurisdiction. They certify the pay-roll, advise with and assist the supervisors in fixing salary schedules and no compensation for any position under civil service may be increased or reduced without their consent. From its own certified lists it appoints the county auditor and the county assessor. The manager may remove any of the appointive officers (except the auditor and county counsel) after warning and subject to reversal by the commission.

The auditor compiles the annual budget which goes to the supervisors accompanied by the recommendations of the county manager, and the board of supervisors may reduce items but not increase them beyond the manager's recommendation.

The elimination of various township officers is facilitated by the provision whereby the county on request from any of the townships must take over various items of work and perform them at cost.

The department of public welfare, doubtless for some special local reason, is separately constituted altogether, consisting of seven members, two appointed by the governor, two by the court, and three, of whom the county manager must be one, appointed by the board of supervisors. The county manager is chairman. The terms are six years, in rotation, and a specific tax of twenty cents per hundred dollars is provided for this department's support. It has charge of the hospital, the poor, the indigent dead, the detention home, and probation, and it constitutes the board of health.

The freeholders have produced a most interesting pioneer document and a splendid contribution to the literature of county government reform, regardless of whether it is adopted or not.

(This charter was defeated.)

AFFIRMATIVE DISCUSSION

THE COMING OF THE CITY MANAGER PLAN[1]

Instead of 3,894,173 as in 1911, commission government now rules a population of 7,086,225 and the number of towns and cities under this form has increased from 93 to 300.

The Des Moines charter is still the standard.

Nine cities have followed the Grand Junction (Colo.) variation which provides the preferential ballot. The device has proven workable and economical and the extension of its use deserves encouragement.

The recent city manager variation, hereinafter described, embodies the first significant change in structure.

One much mooted question has always been whether commissioners should be elected for specific posts (as in Lynn, Mass.) or on a general ticket with power to divide the departments among themselves after election (as in Galveston and Des Moines). The tendency of charter makers since 1911 is toward the Lynn system. The Kansas law has been amended after a trial of the Des Moines plan and the Lynn plan substituted.

The argument for the original general ticket plan is based on the grounds that the people will in either case elect on issues of representation rather than on issues of the technical fitness of candidates, and that in such case the commission by intensive close-hand investigation of the experience and ability of its members can make best use of the material available. Moreover election to specific office tends to create five city governments instead of one, diminishes the influence and control of the commission over its individual members and thus interferes with the "unification of powers."

Advocates of the "specific-office" plan point out that candidates are entitled to know what their positions will be in the government and the voters, too, are entitled to know what department a given candidate, if successful, will direct. A candidate may not desire to run unless a certain department is to be his

[1] Report of the National Municipal League's committee on the commission form of government. The committee consists of William Bennett Munro, Harvard University; Charles A. Beard, Columbia University; Ernest S. Bradford, Washington; Clinton Rogers Woodruff, Philadelphia, and Richard S. Childs, New York, Chairman.

and the voter may willingly vote for a man as candidate for one department but not for another department.

A majority of your committee believes that neither solution is as sound as that offered by the city manager plan in which the whole question disappears (see "6" below).

The city manager variation

Definition of the city manager plan. A single elective board (commission) representative, supervisory and legislative in function, the members giving only part time to municipal work and receiving nominal salaries or none. An appointive chief executive (city manager) hired by the board from anywhere in the country and holding office at the pleasure of the board. The manager appoints and controls the remaining city employees, subject to adequate civil service provisions.

History. The first city manager charter was presented to the legislature of New York in 1911 by the Lockport board of trade and widely commented upon as "the Lockport plan." It failed of passage in the legislature.

In 1912 it was adopted by the South Carolina legislature in a special act for the city of Sumter (population 8,109) and subsequently adopted by that city, going into effect January 1, 1913, and thereafter known as the Sumter plan.

In 1913 it was adopted by Hickory, N. C. (population 3,176), and Morganton, N. C. (population 2,712); Dayton, O. (population 116,577); Springfield, O. (population 46,921); La Grande, Ore. (population 4,843); Phoenix, Ariz. (population 11,134); Morris, Minn. (population 1,885). Adopted as one of three plans in a general optional law by the Ohio legislature, applicable to any city.

It was also submitted, unsuccessfully, in Elyria and Youngstown, O.

The Lockport draft remains at present the model and the Springfield charter is the best thus far put into effect.

Comments. The swift development of popularity for the city manager idea ensures a wide and thorough trial of the plan and its rapid spread may be confidently predicted.

This variation has both of the great basic merits which our earlier report ascribed to the original commission plan, namely, the "unification of powers" and "the short ballot."

At this point the committee divides.

Majority report

Majority report as to the city manager variation of commission government by Charles A. Beard, Clinton Rogers Woodruff, William Bennett Munro and Richard S. Childs.

The city manager feature is a valuable addition to the commission plan, and we recommend to charter-makers serious consideration of the inclusion of this feature in new commission government charters. Its advantages are:

1. It creates a single-headed administrative establishment instead of the five separate administrative establishments seen in the Des Moines plan. This administrative unity makes for harmony between municipal departments since all are subject to a common head.

2. The city manager plan permits expertness in administration at the point where it is most valuable, namely, at the head.

3. It permits comparative permanence in the office of the chief executive, whereas in all plans involving elective executives, long tenures are rare.

a. This permanence tends to rid us of amateur and transient executives and to substitute experienced experts.

b. This permanence gives to the administrative establishment the superior stability and continuity of personnel and policies which is a necessary precedent to solid and enduring administrative reforms.

c. This permanence makes more feasible the consideration and carrying out of far-sighted projects extending over long terms of years.

d. This permanence makes it worth while for the executives to educate themselves seriously in municipal affairs, in the assurance that such education will be useful over a long period and in more than one city.

4. The city manager plan permits the chief executives to migrate from city to city, inasmuch as the city manager is not to be necessarily a resident of the city at the time of his appointment, and thus an experienced man can be summoned at advanced salary from a similar post in another city.

a. This exchangeability opens up a splendid new profession, that of "city managership."

b. This exchangeability provides an ideal vehicle for the interchange of experience among the cities.

5. The city manager plan, while giving a single-headed administration, abolishes the one-man power seen in the old mayor-and-council plan. The manager has no independence and the city need not suffer from his personal whims, or prejudices since he is subject to instant correction, or even discharge, by the commission. Likewise, in the commission, each member's individual whims or prejudices are safely submerged and averaged in the combined judgment of the whole commission, since no member exerts any authority in the municipal government save as one voting member of the commission.

a. This abolition of one-man power makes safer the free-handed extension of municipal powers and operations unhampered by checks and balances and red tape.

b. More discretion can be left to administrative officers to establish rulings as they go along, since they are subject to continuous control and the ultimate-appeal of dissatisfied citizens is to the fairness and intelligence of a group (the commission) rather than to a single and possibly opinionated man (an elective mayor). Inversely, laws and ordinances can be simpler, thus reducing the field of legal interpretation and bringing municipal business nearer to the simplicity, flexibility and straightforwardness of private business.

6. The city manager plan abandons all attempts to choose administrators by popular election. This is desirable because:

a. It is as difficult for the people to gauge executive and administrative ability in candidates as to estimate the professional worth of engineers or attorneys. As stated under No. 13 in our 1911 report, such tasks are not properly popular functions.

b. By removing all requirements of technical or administrative ability in elective officers, it broadens the field of popular choice and leaves the people free to follow their instinct which is to choose candidates primarily with reference to their representative character only. Laboring men, for instance, can then freely elect their own men to the commission, and there is no requirement (as in the Des Moines charter) that these representatives shall, despite their inexperience in managing large affairs be given the active personal management of a more or less technical municipal department.

7. The city manager plan leaves the lines of responsibility unmistakably clear, avoiding the confusion in the Des Moines

plan between the responsibility of the individual commissioners and that of the commission as a whole.

8. It provides basis for better discipline and harmony, inasmuch as the city manager cannot safely be at odds with the commission, as can the Des Moines commissioners in their capacity as department heads, or the mayor with the council in the mayor-and-council plan.

9. It is better adapted for large cities than the Des Moines plan.

Large cities should have more than five members in their commission to avoid overloading the members with work and responsibility, and to avoid conferring too much legislative power per individual member.

Unlike the Des Moines plan, the city manager plan permits such enlarged commissions, and so opens the way to the broader and more diversified representation which large cities need.

10. In very small cities, by providing the services of one well-paid manager instead of five or three paid commissioners, it makes possible economy in salaries and overhead expenses.

11. It permits ward elections or proportional representation as the Des Moines plan does not. One or the other of these is likely to prove desirable in very large cities to preserve a district size that will not be so big that the cost and difficulty of effective canvassing will balk independent candidacies, thereby giving a monopoly of hopeful nominations to permanent political machines (see No. 11 in the 1911 report.)

12. It creates positions (membership in the commission) which should be attractive to first class citzens, since the service offers opportunities for high usefulness without interruption of their private careers.

HOW THE COMMISSION-MANAGER PLAN IS GETTING ALONG[1]

It is getting along rather nicely, thank you! Of course, it is a very young thing, dating only from January, 1913, when Sumter, S. C., first put it into effect. In this brief two years and a half, however, the commission-manager plan has been

[1] By Richard S. Childs. In National Municipal Review. 4: 371-82. July, 1915.

taken up by 25 cities and towns, and five states[1] now have optional laws permitting their cities to adopt the plan by a simple formality. None of the commission-governed cities, except Amarillo, have changed over to the new plan yet; but some of them are planning to do so.

This represents very substantial material progress, and this scheme of municipal government now has an assured standing before any charter revision commission. In fact progress has been so rapid that critics might be moved to scoff at the willingness of our cities to experiment with new things, since there has really not been time for the new plan to demonstrate whether it is good or bad. I suspect that the spread of the plan represents a new courage on the part of business men who formerly have left municipal charters exclusively to the lawyers; but who now find that familiar principles of business organization may after all deserve a respectful reception in the mysterious counsels of a charter division committee.

The literature of the plan consists mainly of the report of the National Municipal League's committee, a close analysis of the plan from the standpoint of political science; two pamphlets by the National Short Ballot Organization, one a popular exposition to be distributed in local campaigns for the adoption of the plan and the other a technical summary of the charters for the use of charter commissions; and the new book in the National Municipal League's series by H. A. Toulmin, Jr., entitled "The City Manager, a New Profession." This last is a little shy on perspective and a little fond in its appreciation, but, like its peer, Hamilton's "Dethronement of the City Boss" which played a useful part in the early days of the commission movement, it comes promptly, puts in orderly array all the material thus far available, and makes good reading for laymen.

Thus far there is no visible tendency on the part of charter makers to depart from the basic principles of the original Lockport proposal. The main difference of opinion seems to be in the question of what appointments shall be made by the commission direct in addition to the selection of the manager. The coming model charter of the National Municipal League arranges to have the commission appoint the civil service commission and the auditor, in addition to the manager who is to make all other appointments. The Dayton charter adds the city clerk to the commission's appointments. The Springfield charter has

[1]Massachusetts, New York, Virginia, Ohio and Iowa.

the commission appoint the manager, city solicitor, city auditor, city treasurer, purchasing agent, sinking fund commissioner and civil service commission, which obviously is going much too far.

In various other cities the assessors, municipal judges, the board of education, are, not improperly, appointed by the commission instead of by the city manager. Several cities have gone still further and have put the police department, for instance, beyond the manager's authority, until the city manager has become merely the city engineer or superintendent of public works, and accordingly I have excluded them from the list of commission-manager cities altogether, inasmuch as in such cities the manager cannot manage. Dayton is unorthodox in its civil service provisions and has a freak clause subjecting the manager to popular recall, thereby giving him two masters to serve, the people and the commissioners.[1] Except in this matter the Springfield charter may be regarded as standard. The most advanced charters are those of La Grande, Manistee, Cadillac and Taylor, which include the important provision of the preferential ballot.

The position of city manager, of course, is the central feature of the plan and the ultimate theory of the scheme contemplates that he should be an expert in municipal administration, selected without reference to local politics, and even imported from out of town.

In launching this plan of government we all feared that it might be many years before any American town would consent to having its best paid office go to any but home talent, and until this provincialism could be broken down, the professional city manager, giving his life to the science of municipal administration and advancing from the managership of small cities to larger ones at increases in salary, would be impossible. Happily, however, this provincialism, while it gives the local politicians a talking point, has proven to be largely a bugaboo. The first thing Sumter did was to advertise for applications for the office of the city manager, and it hired one of the men who responded to the proclamation. Dayton began by offering the job to Goethals at Panama. Jackson was advertising recently by way of a paragraph handed to the Associated Press. Hickory put a little paid advertisement in the Engineering News.

[1] See article of L. D. Upson in April, 1915, issue of the National Municipal Review, p. 266.—Ed.

Still more astonishing, practically every city has chosen the manager from out of town. Even Phoenix, where the charter requires the city manager to be a local resident at the time of his selection, chose an itinerant engineer who was temporarily living there while engaged in a government project. Usually very few local men are considered. Indeed, it often happens that none apply. In at least one case where a well-qualified local man was available, the fact seemed to be against him. Citizens as a rule accept the idea of an imported manager as a part of the spirit of the plan and criticism ceases on that point after the adoption of the charter.

The transferability of managers from city to city also is already an established fact. Springfield hired the former city manager of Staunton, Va. Jackson offered its managership in turn to the managers of Dayton, of Springfield and of Big Rapids, and secured the latter at an advance in salary. Sherman, Tex., has hired the manager of River Forest, Ill., after an unsuccessful attempt to secure a man who had attracted commendation as mayor of Paris, Tex. The profession of city manager is thus securely established already. The American City publishes monthly a very respectable little classified list of advertisements of would-be city managers. The National Municipal League and the Short Ballot Organization both maintain an informal roster of prospective city managers and the University of Texas announces the formation of an embryo employment bureau for them. Three universities, California, Michigan and Texas have already projected courses for training city managers and the young men who are training in the various bureaus of municipal research have their eyes eagerly fixed on those positions.

In December 1914 the city managers had their first annual convention at Springfield and formed the City Managers Association.

Only eight of the seventeen managers were present, and so it was not very much of a convention, but rather a "round table." The proceedings have been published in full. The papers that they read to each other were not very technical, with the exception of one on municipal accounting, which was submitted by an outsider. It was clear that they took their new profession very seriously and were proud of being pioneers in it. There was genuine interchange of views, and humorous comparing of

their troubles in "herding" their commissioners. A significant touch is given by the appearance of paid advertisements in the published proceedings, advertisements of asphalt, motor trucks, steam rollers, chemical engines and sweepers. City managers, who are likely to spend their whole life in municipal administration, are more worth the attention of a purveyor of municipal supplies than the transient old-style mayors, and when the City Managers Association grows to a good size, it is likely to have from this source all the money it can use and the association accordingly is capable of becoming of immense moment in municipal administrative progress in America.

The question of where trained city managers could be found has been answered in most cases by the selection of an engineer, with more or less experience in municipal work. In small cities this saves the separate salary of a city engineer. This seems to be the natural solution because in small cities there is not enough general administrative work to keep a man busy unless he is to take intimate personal charge of public works. Civil engineers, as a rule, have knocked about the world a good deal and have been forced to learn how to get along with people, while at the same time they are trained in precision and method. The profession comes as near to filling the bill as any, although, of course, the training is not broad enough to be entirely satisfactory and something better must eventually be found. Even Waite of Dayton, for instance, who is the ablest of all the managers and able to earn his $12,500 a year elsewhere than in his new profession, is by no means at home on matters outside of engineering and freely admits that he would have been much at sea many times but for the assistance of the local bureau of municipal research.

The value of this new style chief executive is expected to lie in the longer experience of the manager, as compared with the transitory chief executive of the older plan, but of course the plan has not yet been in operation long enough for this advantage to develop and there are still many cities with old style mayors who have had longer experience in municipal adminstration than any of the city managers. I think I can see, however, a more earnest desire on the part of the managers to educate themselves. Certainly they all feel a greater incentive and fondly hope that they are in the work of city-managing for life with a long and expanding career ahead of them.

I should like to be able to prove also by tangible evidence that the indefiniteness of the manager's tenure and the inability of the rank and file of the city administration to look forward to any definite time when the present manager and his disturbing ideas will disappear has resulted in giving to the manager better control over the civil service than an ordinary mayor can secure. Every new executive in private business or in public life runs up against a "System," an instinctive resistance on the part of his subordinates to new policies, and in municipal administration the "System" is frequently much stronger than the transient executive.

Perhaps the washing of the streets of Dayton fits my case. For a long time it had been desired to wash the streets with water, but it required the co-operation of the fire department, the water department and the public works department—and the streets were not washed. The new manager was able to set the thing going at once.

Undoubtedly the city managers work harder than the average mayor and get closer to the details. In Manistee, for example, the old government had authorized $80,000 on a new trunk sewer; the existing sewer was 27 years old and was reported in very bad condition. The new city manager spent $1,200 to clean out the old sewer and after the removal of several tons of sand and refuse it was found to be in perfect condition—and the new one is not to be built. A less spectacular case is the incident of the shovels in Sumter. Some shovels were needed for street work and when the requisition for the purchase came in to the city manager he refused it and sent for some idle shovels from the water department.

The easiest way to measure up the relative efficiency of the commission manager plan as compared with the old government is by financial comparison. In Dayton the total operating expense in 1914 was $1,067,062, an increase of $77,709 over the year before, but the new régime gave $140,000 worth of new services, or an improvement in efficiency of about 6 per cent in the first year, without taking into consideration the fact that the old administration used a considerable part of a flood prevention bond issue of $800,000 for ordinary operating expenses and thus made an ostensibly remarkable showing. In Springfield the operating expenses were reduced from $450,000 in 1913 to $400,000 in 1914, the first year under the new plan. A float-

ing debt of $100,000 was wiped out in fourteen months. Meanwhile the town was getting more service than before. The area cleaned by the street cleaning department was increased by 25 per cent. Garbage collection, formerly provided for only a small portion of the city, was extended to every house. The valuation of increased services is not available, but leaving them out of the calculation, the new régime is apparently about 11 per cent better than the old.

In La Grande, the city manager found the city bankrupt, its warrants so greatly depreciated in value that the banks were refusing to take them at any price. Outstanding warrants had reached $110,000, slightly more than a whole year's budget. In the first year, $35,000 was cleared off and another $35,000 disappeared during the first four months of 1915.

In Manistee, the 1913 budget was $104,000. The new régime saved $20,000 of this and at the same time greatly increased the city's service, including the restoration of ten miles of paved street, which were in deplorable condition, as well as making unnecessary the $80,000 bond issue previously mentioned for the new sewer. Apparently, therefore, the new government in Manistee is 20 per cent better.

In Taylor, Tex., the annual income was $49,000 and in the first year and under the new plan, with the aid of less than $2,000 new tax revenue, the city manager wiped out a floating debt of $9,600, a 15 per cent better showing.

Cadillac cut $6,000—13 per cent—out of the $47,000 of annual running expenses while improving the municipal service.

Little Hickory, N. C., with running expenses of $32,000, cut out $4,400—14 per cent—in the first year of the new plan, squeezed in several thousand dollars' worth of extra service and kept up the pace in the second year.

Another little one, Morris, Minn., spent $28,300 in the first year of the new plan, which was $3,800 more than the year before, but the manager shows an increase of $6,000 in permanent improvements and $2,500 more cash on hand—a 15 per cent advance.

Montrose, Col., reports that the old accounts were so meaningless as to make comparison impossible, but the manager, starting with smaller appropriations, saved in the first year enough to reduce the tax levy 18 per cent.

In Montrose the appropriation for 1913 was $43,810 and for 1914 $40,130. But the city did considerably more work with the latter sum and had $13,000 more cash on hand at the end of the year than at the beginning.

All the cities seem to have such stories to tell of increasing service without correspondingly increased expense, of floating debts being wiped out, of disbursements kept with appropriations, of municipal accounts that tell the true story, of thrift in little matters. All the managers seem to be keen to produce annual reports that will be creditable to the new way of doing things. Highly typical of the new spirit is the failure to fill the office of director of public safety at Dayton and Springfield. It was a charter position, but not altogether necessary, inasmuch as the fire and police departments are already well unified and require little overhead coordination. How long would such an exempt position with its good salary have remained vacant under the old régime?

One of the unsettled points has been how to prevent the commission from interfering unduly with the manager. The commissioners are not always business men and do not always know how to delegate authority and keep their hands off. In Port Arthur, Ontario, which has had a commission-manager plan for six years, the commission, which is a large one, is incessantly interfering with the manager and fussing over details which ought to be delegated. In Sumter it was the same way. The commissioners constantly went over the head of the first manager and dealt directly with subordinates, so that the city manager was often merely a helpless spectator. In Phoenix the commissioners attempted to dictate appointments to the city manager and to make him retain inefficient employees for political reasons. The manager refused and was removed after a disagreement which had the whole town by the ears, and another man of presumably more complaisant temper was secured in his place. This, curiously enough, was under the one charter which attempted to set up defenses for the city manager, who could only be removed for cause after a public hearing. (This made the removal of the manager a question for the courts and for a time Phoenix had two city managers, each claiming exclusive authority. The Phoenix charter, quite properly, has been amended so that there can never again be a question of the ability of the commission to discharge a city manager.)

The city managers are a little inclined to talk impatiently about the need for a protected tenure, but if the commission is to be held responsible ultimately for every detail of the city management, the power to interfere must be left to it. Undoubtedly city managers will always be more or less impatient with the amateurs in the commission, who will ask the impossible, worry the manager with petty criticism and harry him with ridiculous theories. Nevertheless this clash of the expert with the amateur is just what we want. If the expert cannot convert a commission which has had enough confidence in him to hire him, it is probable that he would have difficulty also with the people whom that commission represents, and until he can win over that commission he ought not to be allowed to go ahead.

The commissions of Dayton, Springfield, and certain other cities where the majority of members are business men, seem to be giving their city managers little trouble. Manager Hardin in Amarillo says: "I am the connecting link between the commission and the employes. The commission has never attempted to get out and instruct any of the employes, and the night I qualified I told the commission, 'Now if you want anything done, come to the manager'; I told the employees 'if you want to know anything or want to get in touch with the commission, do it through me.' It will cost any man his job to go around me and try to put anything over with the commission." In the long run, this solution, informal though it is, is probably better than any charter restriction.

When the commission consists, as it often does, of only five men in a fairly large city, there is a certain inadequacy on the representative side of the government. The Dayton commissioners have been pained to discover that they have been stepping on the toes of numerous people without knowing it. Large sections of the people find not a single man on the commission who is of their own type. Upson of Dayton and Waite, the city manager, are impressed with the problem and suggest proportional representation to insure a proper diversity in the commission.

Meanwhile much could be done by creating advisory boards attached to the several departments. All the best engineering talent that may happen to reside in the town could thus be called in to study and report independently to the manager and commission on the projects of the public works department. The local

physicians could be hitched up to the health department and on other boards could be put citizens who manifest some interest, or who have some special ability or experience to contribute. Such boards, acquiring familiarity with departmental problems, could become highly serviceable. If the city manager determined upon a good, but unpopular, policy, there would be a dozen members of the advisory board prepared to explain it and justify it to fellow townsmen. If the policy was wrong, the unwillingness of the advisory board to concur would perhaps deter the manager and the commission from embarking upon it. The advisory board's objections might warn the manager when he was unknowingly rubbing the people the wrong way. A hundred men and women on such a group of advisory boards, having no actual power and hence not being self-seekers, can be developed by considerable treatment into a co-operative force of great value and comfort to the officials without clogging the simple machinery of the responsible government. In a large city advisory boards could be provided with paid secretaries and in any case their opportunities for inquiring should be unrestricted, their equipment for investigation should be ample, their reports should be public records.

The dissatisfaction expressed in Dayton by the attempt to amend the charter out of all semblance to the true commission-manager type is merely a phenomenon familiar in politics everywhere and akin to the fact that the mid-term congressional election usually runs against the administration. Cadillac experienced a similar reaction in the attempt to recall the commission after six months. Numberless commission-governed cities have seen the new plan subject to bitter attacks during the first years, usually at the hands of those whose political power waned with the coming of the new era.

In Dayton there is extra danger in the fact that the business men at the beginning had things too wholly their own way and elected a handpicked business ticket. Now business men comprise but a trifling percentage of the population and live a good deal in a little social world of their own, and a good many currents of opinion can flow that business men know nothing of. The business men supposed they had catered adequately to the rest of the people when they thoughtfully put a labor representative on this ticket, but apparently that was not enough. Any politician in Dayton could, for instance, have warned them that the

fixing of the city manager's salary at the unfamilarly high figure of $12,500 would be politically risky. It seems likely that in November Dayton will defeat the attempt to spoil the charter and will put a politician or two on the commission. In general, the cities that elect former mayors and councilmen to their new commissions may be making haste more slowly and more surely.

Other phases of the opposition to the commission-manager plan seem trifling. The idea of a chief executive from out of town seems to please more people than it disturbs. They dub it "one-man government" sometimes, but even that seems to fascinate and I have heard it seriously urged that the manager be made independent and relieved from interference by the commission. Some socialists have unofficially opposed it with the same blind hatred which they are apt to vent on anything that originates elsewhere. Perhaps it was due in part to the incaution of these same sapient business men in Dayton who naively sent out publicity to the effect that the commission manager plan was "the creation of Mr. Patterson, a multi-millionaire manufacturer."

Socialists made similar attacks, officially, on the commission plan, whose originator in Des Moines they discovered to be a man of some means and therefore presumbly an agent of capitalism intent on subverting democracy. They tamed down and withdrew from their position after a while and they are not making the same mistake again on the commission-manager plan. In Dayton they opposed the charter and are now being used by the politicians who are stirring up all the discontent they can. In Sandusky, Ohio, however, it was largely the socialists who put the charter through. Their own national information department, tackling the problem of municipal government constructively, arrived by inevitable logic at the commission-manager principle. Their convention could not quite swallow it, but the plan will gain a few more friends and become orthodox except that the non-partisan ballot, wonderfully helpful to them though it is, will doubtless remain taboo.

Our own Mr. Foulke has shaken his finger in solemn warning of the danger that elections may revolve around the question of retaining or replacing the city manager. This would, of course, be quite out of the spirit of the plan, but it will undoubtedly occur from time to time just as it occurs in school

board elections when the superintendent becomes an issue. The proper antidote is a becoming modesty on the part of the city manager. In all dealing with the public the commissioners should do the talking, the explaining and the glorifying. If the commissioners hire a fine manager and thereby get fine results, theirs is the glory; the manager is only their agent and private adviser. The commissioners ought to be the ones to go around making speeches; the manager ought to be on happy terms with the reporters, but like the president, never be personally quoted in their despatches. His opinions ought to stay under his hat except when he is in consultation with the commission. He should never appear in open conflict with the commission and if he does differ with them, others must make the fight. In other words, he must at all cost keep out of politics. That means crawling into a hole out of the limelight and resolutely staying there, and thus unobtrusively continuing manager through successive administrations no matter how various may be the commissions that come and go over his silent head. Manager Ashburner of Springfield, with political experience as manager of Staunton, Va., has kept pretty quiet and has now bought a home in Springfield. Manager Chappell of Big Rapids and Jackson does not even burst into print when the inexperienced Jackson commissioners displace him in impatience with the cautiousness of his innovations. But manager Waite of Dayton became a national figure—and an issue for next November's election! The Dayton pamphlet covering the first half year of the new rule was the "Report of the City Manager to the Commission" with an introductory letter by the city manager and the names of the commissioners nowhere to be seen. The second pamphlet six months later was the "Report of the City Commission," signed by the commissioners, beginning "One year ago we took up the reins of government" and no mention of the city manager anywhere! Apparently practice supports the theory!

With the commission plan in small towns a commission of three was better than one of five because their work was mainly individual and executive. With the commission-manager plan there is no advantage in making the commission so very small. The short ballot principle is well enough observed with five, or an even larger board can be provided if the terms expire in rotation. The complaint comes from Sumter that the difficulty with the commission of three is the tendency to meet by tele-

phone or settle a policy on the sidewalk. Public business should not be handled in that elusive way. A meeting of the commission should be a formal occasion at a set time so that the public can look in and interject comment if it wants to. A little larger commission is likely to meet with more ceremony and overhaul each proposition more noisily.

Sherman, Texas, varies the plan in a way that will be worth copying when larger commissions begin to come into vogue, as they should and will. Sherman elects sixteen commissioners with rotating tenures and the charter provides for an executive committee of three within the commission, chosen by it and holding office at its pleasure, to handle details and to work in special intimacy with the manager.

The cities to watch just now are Dayton, where the plan is under attack, Phoenix, where the commission has fired a manager because he was being a patronage-broker, and Niagara Falls, where the managership is viewed by some as a prize plum for some local politician.

My final note is most significant of all. It concerns a letter received a while ago from a California school boy. He admits that he has not stood too high in his studies, but he has decided that he could do great good to thousands of people as the manager of some city, of course a small one at first, and can I please tell him what and where to read and study as a preparation? Forsooth! Municipal administration in America an iridescent dream for youths!

HOW THE COMMISSION-MANAGER PLAN IS GETTING ALONG[1]

In the year and a half that have elapsed since my last article on this subject, very little of new significance has happened. That fact in itself, while uninteresting, is rather important. "Happy is the land that has no history."

The situation continues to be more than satisfactory. The commission-manager plan is now five years old. In several cities it has survived elections without causing any earthquakes

[1] By Richard S. Childs, New York. In National Municipal Review. 6: 69-73. January, 1917.

in the city halls. From all the cities come specific and circumstantial reports of economies effected, taxes reduced, new functions undertaken, politics eliminated and popular aproval made manifest. Some of the older cities have now reached that most interesting stage where they present the fruit of their sowing in most impressive fashion. Dayton, especially, is beginning to reveal what good government really means. After you have got the politicians out of the city hall, after government ceases to mean a parcel of jobs to be contested for, after you have developed a public agency sensitive to the desires of the electorate and at the same time efficient and clean in administration; then what? The city having obtained at last a first class automobile instead of a stage-coach, where shall we drive? Does it mean merely a lower tax rate? Dayton is just beginning to answer that question by exhibiting a government which delights in undertaking high social service. Here is a city government which is beginning to undertake the responsibility of looking after the people of the city. It frankly and definitely proposes to abolish private charity within the city by gradually taking over every tested and necessary philanthropy. It tries to do something about the cost of living. It reduces infant mortality 40 per cent. It undertakes to restore human derelicts. It develops wholesome occupation for children in little farm gardens. It abandons the *laissez faire* policy and assumes responsibility for trying to make Dayton a nice place to live in. German cities look after their citizens in this way to conserve the national sinew. The jobholders in a typical American city hall have no such vision. Dayton seems likely to show how much, in human terms rather than in financial statistics, good government means.

The other commission-manager cities are still busy cleaning house, getting their finances in order, catching up with their public works problem, repairing old neglect. When they get this done, what will *they* do? Gild the dome on the city hall? Or will they call in the social worker and follow up their surveys of the administration by surveys of the people in the alleys? We know at least that Dayton, the pioneer city, is leading in the right direction, a fact which is due, I understand, largely to Dr. Garland, head of the department of public welfare under Manager Waite.

In this year and a half fifteen more cities have joined the list of commission-manager cities, *i.e.*:

Grand Rapids, Mich.....	130,000	San Jose, Cal.....	28,946
Alpena, Mich.	12,706	Watertown, N. Y.....	26,730
Santa Barbara, Cal.....	11,659	Portsmouth, Va.	33,190
San Angelo, Tex.....	10,321	Albion, Mich.	5,833
St. Augustine, Fla.....	5,494	Brownsville, Tex.	10,517
Westerville, Ohio	1,903	Petoskey, Mich.	4,778
Elizabeth City, N. C.....	8,412	East Cleveland, Ohio.....	9,179
Webster City, Iowa.....	5,208		

In this same interval fifteen cities adopted the commission plan and three others gave it up. In fact the commission plan has practically stopped spreading where the new plan is available and the torch has been passed on to the new plan.

The new cities, like the old, have chosen their managers in most cases from out of town. There has been one more case of transfer of managers, *i.e.*, Manager Carr of Cadillac, who was hired at increase of salary by Niagara Falls. There are several "lame ducks," managers who for one reason or another are managers no longer. Two or three of the men have unmistakably failed on their jobs.

It is still too early to tell what the average tenure of the managers is likely to be, but there is nothing to indicate that it is likely to be short or that cities will be disposed to change their managers frequently. No manager, I think, has yet lost his job as the direct or indirect result of a popular election in the town, but this may be largely due to the fact that most of the commissions have been re-elected.

Business men continue to take to the commission-manager plan like ducks to water. The old charters were subjects for lawyers to discuss. Here is something business men understand. One cannot imagine the rotary clubs all over the country discussing a charter of any other type than this.

There continues to be a tendency to make heroes of the managers. It is so much easier for the public to get a picture in their minds of one manager than of five commissioners. This tendency has its dangers. One manager, for instance, gets himself quoted at length in the daily papers nearly every day on some topic or other. Publicity is a good thing. The more a municipal government gets itself talked about, the better. But that manager would be less likely to be an issue in the next election if he would get the mayor to assume the glory—and the responsibility.

The city managers have now held their third annual conven-

tion. Of course the conventions are still small affairs but they are not as good as they ought to be. At present certain managers take a subject, and with the aid of midnight oil and some reference books, prepare an essay, which if not actually amateurish, cannot honestly be claimed to be an authoritative contribution to the subject, for the managers are not specialists and do not pretend to be. The managers, however, can command the time and attention of the most eminent specialists in the country, and if they wish to discuss the problems of marketing municipal bonds, why waste time listening to Manager So-and-so's efforts on that subject when they can get a good Wall street financier who handles bonds for hundreds of cities. The discussions that result when the expert and the theorists clash with the practical managers, who are face to face with immediate problems, would constitute real municipal reference literature of the most important sort, and the proceedings of the city managers' convention would become important, whereas now they are merely interesting. The governors' conference has developed the same idea that no one is good enough to address them but another governor, with the result that the governors' conferences have gone to seed.

The best feature of the managers' conference is the calling of the roll of cities, when the managers rise in turn and report the achievements of the past year. To a modest manager the procedure may possibly be painful, but it is a good thing for the managers and undoubtedly does much to determine the spirit of service which inspires the new profession.

Outspoken and organized hostilities to the commission-manager plan may always be expected to survive for a few years in every city, at least until there has been more than one election. In some cases the opposition controls newspapers. A reasonable amount of such opposition is a good thing, for it makes municipal officers careful to see that everything is properly and carefully explained to the public. Dayton has a delightful sheet known as the *Municipal Searchlight,* devoted exclusively to throwing mud at the government of Dayton. It says that Dayton is afflicted with expertitis, a municipal disease which I, for one, fondly hope will prove contagious. This ill-tempered little publication with its slender store of specifications and its enormous store of billingsgate furnishes to any open-minded man indispu-

table proof that the opposition in Dayton is terribly hard up for ammunition.

In Phœnex, Arizona, the first city manager lost his job for reasons which seem to be on the whole creditable to him, and it seemed logical to expect that his successor would be a man more amenable to political control. It has not worked out that way, however. The new manager has achieved a list of reforms which demonstrate high ability.

At Niagara Falls before the plan went into effect, the newspapers and the local political lights talked about the city managership as if it were a fat job for some local man. But the commission was true to the traditions of the plan and engaged a non-resident expert, Manager Carr of Cadillac.

In Newburgh, a rather weak commission engaged a high-class man from Cleveland. There was a legal tangle in the charter which prevented the new manager from reorganizing the city employees, and the commission removed him after he had been in office only five months, before he really got going. There was considerable indignation among the citizens and a demand for a statement of the charges. No charges were forthcoming and the commission gave no explanation. Even the manager was only able to obtain trivial excuses and justification. It was said that there had been a stormy private meeting in the councils of the local machine a short time previous because the manager "had done nothing for the Republican party." At any rate it was evident that the commission had another man in mind, a local business man and unsuccessful candidate in the election a few months previous, whom it promptly appointed. The new manager seems to be getting more action, but I think Newburgh is one of the cities to watch.

I have saved Ashtabula for the last—Ashtabula with the unique city charter that is the ultimate ideal, with its council elected by the Hare plan of proportional representation. At the first election, this method of election caused an Italian saloon-keeper named Nick Corrado, to forge ahead of a young attorney named Rinto. Professor Hatton, who studied the election on the spot, commented that "the election of Rinto would have improved the council, but the election of Corrado made it more representative." The commission after quarreling long over the appointment of a manager, selected one of its own number who needed a job although he had no particular training for this one. He undertook at the same time to remain as a voting member

of the commission. The town, of course, was properly indignant and mass meetings were held with the result that in a few days the manager withdrew, after which the commission compromised on the selection of the local postmaster, who had no special claims to fitness for the job, beyond good political connections, but who nevertheless is said to have proceeded to do well. Since this episode Corrado has been indicted for murder.

Proportional representation undertakes to guarantee to every citizen that he will have somebody of his own kind at the city hall to represent him. In achieving this purpose the Hare plan used in Ashtabula is unquestionably more scientific than the ordinary method, and its advocates have nothing to apologize for in Ashtabula. The tough element of a town is entitled to its due share of representation. But this first American demonstration of the plan in Ashtabula was almost too perfect!

CERTAIN WEAKNESSES IN THE COMMISSION PLAN OF MUNICIPAL GOVERNMENT. WHY THE COMMISSION-MANAGER PLAN IS BETTER[1]

Comparison of the two plans

The commission-manager plan preserves the basic merits of the commission plan, namely, the short ballot and the unification of powers in a single body. It eliminates the defects.

1. The commission plan provides five (or three) administrations, for each commissioner is head of his department and to some extent autonomous. Obviously the single-headed arrangement of the manager plan is sounder and less apt to produce continuous friction between departments.

2. The commission plan attempts to put the commission as a whole in command of each member thereof in his capacity of department-chief. But the commission has no power to remove or discipline their confrere if he disregards their decisions. They are in the unhappy position of a boss dealing with an employe who is sure of his job. A common result of this situation is that each commissioner reigns supreme in his department and resents "interference" from other commissioners, thus giving the

[1] Reprinted from a pamphlet published by the National Short Ballot Organization.

city five separate little governments and limiting consultation and common counsel.

3. The commission plan gets rid of ward log-rolling but substitutes inter-department log-rolling. Each commissioner in order to get his way in his own department is tempted to swap votes and to abstain from criticizing the other fellow's budget —a situation that does not tend toward economy.

4. The commission plan, by implication at least, limits the people in their selection of commissioners to men of the employer type who are competent to hire and direct the labor of many other men. Any commission consisting solely of men who earned such salaries and did such work in private life would be utterly unrepresentative of the city's population, yet it is the faulty theory of the commission plan that such men will be elected. Of course, it does not work that way. In Wichita a railway switchman was elected; in Topeka, a barber; in Des Moines, a laboring man, etc. And as long as popular government goes on, these things will occur, for a deep-seated instinct in our people, an instinct truer than the reasoning of charter-makers, insists on sending to city hall "our own kind" of men, men who understand us and whom we understand. "Yonder kid-gloved employer may be fitted to boss a big city department, but he is likely to be more interested in making things pretty up on the hill than in what goes on down here along the river where he never comes. So we elect Bob Jones and maybe things will not run smooth and he will have a lot to learn and he will be getting more money than he ever saw before, but we will see him once in a while and he will do anything he can for us and we will not be expected to take off our hats if we go to ask for something."

In other words, no matter if commission government does omit to provide for representation and sets up simply five executive offices, all demanding broad administrative ability, the people will nevertheless sweep aside the intent of the charter and elect for considerations of representation just the same! The people are right about it, but be they right or wrong, we must cut our cloth according to the fact.

Now Dayton, at its first election under the commission-manager plan, elected a printer—not a master printer, but a typesetter who works at his case for a daily wage. As a member of the commission he contributes his valuable viewpoint to the

joint discussion of municipal projects. On some matters he is an amateur and is due to be harmlessly voted down by his confreres. On other matters his is the most anxiously awaited voice in the discussion and the other commissioners, merchants to whom the views of Labor are mysteries, defer to his superior knowledge of the popular effect of their proposed acts in certain quarters of the town. But his value as a representative is not tarnished by his personal inability to administer a large city department successfully. He has no administrative work to do, no subordinates of his own to discipline, no technical details to supervise. The commission-manager plan puts him in the position of a juror, for which he or any intelligent man is fitted, whereas the commission plan puts him in the position of a judge, which demands special training.

5. The commission plan ignores the value of experience and permanence in the high executive positions. Elective executives are transient amateurs. They do not usually stay in office long enough to learn the job. The tenure is so insecure that it does not seem worth while for a commissioner to study. His department is at the mercy of his inexperience. He is liable to develop pet projects, oblivious to the uncompleted projects of his predecessor. Then with his projects half done he goes out of office, and his successor springs a fresh lot of schemes. Such vacillation is demoralizing. It is inevitable when policies are swayed so largely by single minds instead of by the composite mind of a group.

6. The commission plan, by putting these transient amateurs in direct charge of departments, gives the people a correspondingly weak and uncertain grip on the city's employees. A police "system," for instance, organized in resistance to public clamor, can laugh at this series of well-meaning short-term amateurs who incessantly come and go above its head.

Such instability demoralizes the whole city service. Minor city jobs become correspondingly insecure and unattractive to good talent. Efficiency is a plant of slow growth. It does not thrive in shifting sand.

Anyone who has followed the politics of a commission-governed city long enough will recognize much in the foregoing that is familiar. Note that not one of these faults of designs is to be found in the commission-manager plan.

The lines of responsibility are clear and straight. They never fork or leave you wondering who is responsible.

The plan gives a strong single-headed executive presiding over all departments, co-ordinating their activities, acting as a court of appeal in such cases of departmental rivalry or friction.

The people can select the truest representatives unhampered by any considerations of the business experience or salary-earning capacity of their favorities.

Moreover, these representatives, after election, have in turn a surer grip on the government through a manager than if they were individually compelled to assume departmental direction.

Membership in the commission becomes attractive to the ablest citizens since it offers opportunity for high usefulness without interruption of their private careers.

Often a specific cash saving appears at the outset. A city that is paying five commissioners $2,000 each can hire a $6,000 manager, pay the commissioners some nominal sum and save money. And the one high-grade man should do a better quality of work than the five low-paid ones.

THE COMMISSION MANAGER PLAN[1]

The city manager form of government can be made successful. The American people are habituated to the idea of change. It is customary when we have elected one party into power to have the other party or parties immediately start a campaign to show us why that party should be out of power. We are restless for change. It is inbred in the nation. The results accomplished by the new forms of government now coming into use can as yet scarcely be grasped by the very people who have voted these governments into power. Each new improvement offends some one's prejudice or purse. Too many new improvements breed too many centers of discontent. As a people we are fickle; we learn by experience and slowly, and often through waste.

These new forms of municipal government have many ups and downs ahead of them. We love to live as we have lived.

[1] By Henry M. Waite, Dayton, Ohio. In National Municipal Review. 4: 40-9. January, 1915.

Changes with which we are not in complete sympathy we are prone to define as whims.

Every citizen is an expert on all municipal questions. Our duty, your duty, is to educate the people to appreciate the possibilities of these new forms of government which we have called into being. There, to my mind, lies the great work.

Publicity must be given to the results obtained by the new governments. We must obtain an efficient citizenship. Interest should be maintained through the schools. We need fewer elections, longer terms, and thereby greater efficiency. The commission-manager form of government can be made a success. Its permanency depends upon an intelligent citizenship, and their continued determination to keep partisan politics out of municipal matters.

Immediately after the Home Rule amendment was passed in Ohio, the thinking men of Dayton worked out a plan of action. The new charter was the result of their efforts. This charter comprises the basic form of organization used in all large corporations.

Mr. Patterson, President of the National Cash Register company, the ruling spirit, used the rule of five which he uses in all of his own organization charts.—Five commissioners elected at large and non-partisan, and five departments. The flood of Dayton aided in bringing the people together. Party lines were obliterated. Five sound business men were elected as commissioners. They selected the manager. The manager selected the directors of the five departments.

The director of law was on the charter commission as its legal representative. The director of finance was a public accountant. The director of welfare was a minister—broad and intelligent.

In the month of June, July, August, September and October, the death rate of babies of under one year has been reduced 40 per cent over last year. One general, and two tuberculosis clinics have been established. School children have been joined in a civic workers' league and help to keep the city clean. Prizes have just been awarded to the school districts showing greatest improvement. Children's and back yard gardens have been awarded prizes.

Any family, or neighborhood willing to clean up empty lots, was aided by the city removing the rubbish, and plowing the

lots. Four hundred lots were cleaned and plowed; four hundred dirty spots were turned into four hundred gardens which furnished vegetables to four hundred families, and gave a new interest to four hundred families.

The civic music league has been established; concerts have been given in community centers and choruses organized. A series of six concerts to be given by foremost artists and symphonies, has been arranged for this winter, at a rate of three dollars and a half for the season. Twenty-five hundred seats, which is the capacity of the hall, have been sold.

In ten months much has been accomplished, and economically accomplished.

The director of service is an engineer trained in municipal work and brought to Dayton for this service. The director of safety has not been appointed; the manager is acting director.

All the men selected are trained for the particular functions which they direct. I cannot tell you the political faith of the commissioners, or of the directors. They are selected for their ability. There were no political debts to be paid. Our energies have been expended on progressive and constructive lines. We have not attempted the sensational.

Careful, expert investigations have preceded all new plans. Expert engineers have worked out intelligent plans for improvements in the water works, looking well into future requirements.

Expert engineers have investigated and made report on the proper distribution of city wastes.

Expert engineers are advising us in the plans for the development of a comprehensive sewer system.

In a similar way, we have investigated crime and social conditions, police and fire departments, parks and playgrounds, city planning, and grade elimination.

In our finance department, our new accounting system is the same as would be found in any large business. Our budget is scientific. Every month the head of each department receives a complete financial statement which shows the original allowance, expenditures and balance in each account. We keep our expenditures inside our allowances.

In August, we found that our estimated revenues were too high. With our system of accounting and budget, we were enabled, in two days, to reduce expenditures $45,000 and reorganize all work accordingly. It was customary to issue bonds for cur-

rent expenses. This practice has been stopped. We inherited a promissory note the first of the year for $125,00 in the safety department, which was paid in February. This will be reduced this year over $25,000.

All current funds in the treasury have been put into one. It has not been necessary to borrow any additional money on this note up to this time, and we will save $5,000 in interest.

Our purchasing department will save $20,000 this year.

Every department has unit cost systems. Efficiency is maintained in the deadly parallel.

Police and fire drills have been enforced. Civil service records show merits and demerits. The men are listed on the results of examinations as well as by daily performances.

Policewomen are aiding in the handling of women derelicts and domestic troubles.

The organization is keyed up to preventive methods.

The Fire Department is continually making house to house inspections, reducing fire hazard.

Workhouse prisoners are used on municipal improvements, parks, cleaning and repairing streets.

A municipal lodging house has been established. The inmates are worked one-half day.

All philanthropic and city nursing has been combined into the welfare department, thus saving all duplication of effort.

District surgeons have been appointed: three baby clinics and milk stations have been established.

All these are factors in Dayton progress during the past year —a progress that is real, substantial and continually growing.

Following the reading of his address Mr. Waite sumbitted himself to a cross-examination.

MR. SHAW: What was done in the matter of investigating the various departments after the municipal research era in Dayton?

MR. WAITE: The municipal research bureau was started in Dayton prior to any work on the new charter. They are still at work, and have been a great help to us. I have taken the trouble on several occasions to go to cities that are contemplating such a change. I advise them against rushing in too rapidly, when they are not properly prepared. Before these changes of government are inaugurated a municipal research bureau investigation or something similar which is impartial, should be made.

Having followed such a bureau in two cities, it is to my mind necessary for three very primary reasons:

1st. The bureau can use the information which it gets as a means of instructing the people of that community that a change is necessary;

2d. When the government does come into effect, it is absolutely necessary because you cannot expect support and help from the people who are in office, and your bureau is the only impartial body which has the information; it is of wonderful help in putting the new government into effect;

3d. The information and the statistics which the bureau has compiled are the only means by which comparisons, of the old against the new, can be made.

* * * * *

MR. CHILDS: In some of the other cities where they have the city manager, particularly the only one I know that is not in this country, at Port Arthur, Ontario, there is a tendency of the elected directors or commissioners to interfere with the manager in petty details. It often happens that the men elected are not themselves good business men, and are interested in matters of detail work, without seeing the broad policies involved, and use their position as members of the commission to interfere in small details with what normally should be the work of the city manager. Have you any trouble of that kind in Dayton, and if you have, how do you handle it?

MR. WAITE: We have had absolutely no such trouble. The commission and the manager work cheerfully together, like a board of directors and an executive. Of the elective body the manager is really nothing. He is supposed to carry out the directions and the policy of the governing board. I personally may have suggestions to make, or they may have suggestions to make, as they always do. We endeavor to work shoulder to shoulder all the time. We always get together. We set aside Tuesday morning to go out and look over any important subject, and have an informal meeting one evening of the week. There is going to be a very great danger in my mind from the fact that naturally the city manager is the person who is up before the public all the time—he is the one that the public has got its fingers on, and it's going to be difficult to get, as it should be, the city manager in the background and the commission, the elective body, before the people.

MR. CHILDS: I heard you make this same comment before in discussing the plan—that it's up to the people after all, and the plan will succeed if the people take an interest and back it up, and work with it and so on. What is the necessity of making that remark as applied to the city manager plan? It is true of any plan of government. Is it any truer than in the city manager plan?

MR. WAITE: I suppose it is perfectly natural that I should feel that it is. Of course it is not. That is the difficult thing to accomplish in all changes of government and so-called reforms. The electors are awakened and aroused through some particular chain of circumstances or psychological movement. They effect this change of government, and then they usually pass it up. They think, "What a beautiful thing we have done." Then down it comes. They do not stay under and hold it up. It is a difficult thing to keep the citizenship interested in the results which they are obtaining through these changes.

MR. CHILDS: You don't feel that the plan is more likely to fail through lack of interest then?

MR. WAITE: It is more likely to succeed, simply for the reason that it will hold the public attention longer and clearer, because you have that centralized authority to which the public are always looking.

QUERY: You say the saving in the purchasing of goods last year amounted to $20,000. Do you mean to say that was saved over and above the year before, and if so, what were your expenditures, and by what method could you have saved $20,000 in one year?

MR. WAITE: The purchases made previously in Dayton were made as they are in a great many cities, and in most states. If A, at the head of a department, or B or C wants a dozen pencils, or a lot of stationery, he goes out and buys it. The different letterheads in the various departments represent the artistic development of the head of each department. Coal was purchased by each department. All supplies were purchased in that manner. We have simply issued specifications for various materials. All supplies must be purchased through the purchasing department. Requisitions made must first bear the O. K. of the finance director that the funds are available. Then bids are taken on large quantities of material.

We have the bids. We have them opened publicly. Then we commence to do our buying. $20,000 is the amount of money which we have saved in the purchase of materials.

MR. CHILDS: There is, I understand, a minority in Dayton, which is more or less active in opposition to the whole plan and the present régime. I know that there was a public meeting held there which opposed the commission plan and the way it was working, and that had a powerful influence on another city in Ohio which was considering the adoption of the plan. I would like to learn a little bit about the operations of that minority, the arguments that they bring up against the plan—that is, of course, if it won't get you into trouble.

MR. WAITE: It already has. I don't think that any form of government is a success, can ever be a success, unless it has some opposition. Opposition which we have at the present is socialistic more than anything else. It has been active and above-board ever since we started. They are against everything. There is no satisfying them. They have no particular complaint against anything that we do, except that we do not immediately buy all the surface lines, electric lines and plants, and gas companies. I don't consider them seriously. It has not grown. It is just about the same as it was when it started. I do not mean that municipal objection is confined entirely to the socialists, but that opposition is a healthy one. It is a good, sound lot of fellows. They are working hard. I go before them and talk to them. We are pretty good friends on the outside, but they dig me in the ribs every chance they get.

Their arguments are rather embarrrassing to me. They sav "I can't understand why you are not in favor of municipal ownership. Your present form of government is an ideal time to take over all these activities."

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THE CITY-MANAGER PLAN OF GOVERNMENT FOR DAYTON[1]

On August 12 the voters of Dayton, Ohio, approved a charter giving to that city a "city-manager" plan of government—making it the first American municipality of considerable size to secure

[1] By Lent D. Upson, Director, Dayton Bureau of Municipal Research. In National Municipal Review. 2:639-44. October, 1913.

this form of government. To this feature of a "controlled executive" has been added a number of progressive administrative ideas.

The power is vested in a non-partisan commission of five, elected at large, in the place of the ward council. It was urged by a number of authorities on municipal matters that the commission would be more representative were its number nine or seven, rather than five, but the latter number was agreed upon in order to secure a shorter ballot. None of the candidates are for designated offices, so the preferential form of voting was discarded for the ordinary primaries with a later election—it being thought impractical to ask voters to designate five first, five second and five other choices. Consideration was given the Hare proportional representation scheme, but it was discarded for the time being, in the belief that its use would foster political alignment in municipal elections. Elections are to be held every two years, the three candidates receiving the greatest vote at the first election being chosen for a four-year term, the others for two year. The candidate receiving the highest vote at the election at which the greatest number of commissioners are elected shall be mayor, to perform the few duties incumbent upon him by general state law, and "for ceremonial purposes." All members of the commission, as well as the city manager, are subject to the recall upon a 25 per cent petition of the registered electors.

In distinction from the straight commission plan the duties of the commission are purely legislative—passing the annual appropriation ordinance, police and public improvement regulations, with the usual legislative power to investigate the operation of any department. The city manager, chosen to serve at the pleasure of the commission (with the recall provision), is the administrative head of the government, appoints and fixes salaries of his immediate subordinates, including the principal departmental and sub-departmental heads and their deputies, and is personally responsible for the entire administration of the city. There is a striking analogy between the functions and accountability of this officer and his superiors, as compared with the similar position of the superintendent of public instruction and the school board in many localities.

To comply strictly with managerial theories the executive should be empowered to employ and dismiss such of his employees as he desires, and to stipulate such compensation as he

deems necessary. In this instance civil service clauses are incorporated, which provide examinations to determine persons eligible for appointment in all but a small unclassified service; insure the standardization of wages and equal pay for equal service in all branches of the government; create a six months probationary period before appointment; and which requires the certification of all payrolls by the chief examiner—all features of a modern merit law. However, it is further provided that the manager, in consultation with the chief examiner, shall make the designations for appointment *from the entire eligible list,* rather than from the three highest. Such a rule conforms with private business practice, but in public affairs will probably secure employment for the politically desirable, and serve to vitiate the entire merit system. Nor did the charter commission carry their theory to independence in the selection of city employees to its logical conclusion—freedom to hire and dismiss at pleasure: persons employed cannot be permanently relieved from duty except by substantiation of charges before the civil service board. It is doubtful if such a law meets the requirements of the state constitution, which provides that appointments shall be made according to fitness and merit.

As would be anticipated, the powers and duties of the manager are a summation of all powers usually granted to the heads of departments, boards, or units of government over whom he will have supervision and control. Such duties will comprehend:

a. Supervision of departmental administration.

b. The execution of laws and ordinances.

c. Recommendation of legislative measures.

d. Appointment of officers and employes, subject to the provisions of the civil service sections.

e. Preparation of reports.

f. Preparation of the budget.

After lengthy debate relative to the merits of leaving the creation of departments and the distribution of their powers to the legislative body of the city, such plan was adversely decided upon. The departmental organization of the city consequently has been specified in the charter, permitting fundamental duties to be assigned to the more important departmental heads. A reservation is made, however, by which the commission may create additional departments, and may discontinue or distribute their functions. The charter organization of the city, excepting

schools and the courts controlled by general state law, is practically as follows:

1. The Commission (subject to initiative, referendum, recall and protest).
   - A. City service board.
   - B. City Manager.
     1. Department of law.
     2. Department of public service, comprising the construction and maintenance of streets, sidewalks and sewers; collection and disposal of waste; and management of public utilities.
     3. Department of safety, comprising the divisions of fire and police; building inspection; and the enforcement of ordinances relating to weights and measures.
     4. Department of finance, comprising the divisions of accounting, the treasury, and the purchasing of supplies.
     5. Department of public welfare, comprising the divisions of health, parks and playgrounds, charities and correction.

A provision borrowed from Germany, but unique in American practice, recommends the appointment of a city-plan board by the commission, and provides for such other citizen-boards to act in an advisory capacity with departmental heads, as the city manager may deem expedient. No powers are granted these bodies, except as may hereafter be created by ordinance.

More interesting features of the proposed Dayton charter are to be found in the administrative clauses which have been incorporated—features which have been notably absent in the fundamental law of most municipalities. The charter commissioners were thoroughly imbued with the idea that inefficient government is due to badness of methods rather than badness of men; and as a proposed remedy have included adequate provisions governing budgetary and accounting procedure, a purchasing department, granting of franchises, public improvements and other subjects differentiated from the organic law of the city. The appropriation estimates are to be compiled by the city manager from detailed information obtained from the several departments on uniform blanks. The entire classification of expense must be as nearly uniform as possible for the main functional

divisions of all departments, and there must be presented in parallel columns the following information:

a. A detailed estimate of departmental needs.

b. Expenditures for corresponding items covering the past two years.

c. Expenditures of the present year including transfers.

d. Supplies on hand.

e. Increases and decreases in requests.

f. Other information required.

g. Recommendations of the city manager.

Provision is made for the publication and public hearings on the budget estimate before it can be enacted into law, and an additional proviso that the appropriation shall never exceed the estimated income.

In connection with these budgetary sections there is an original clause which will obviate a common difficulty met in municipal finance—the presence of more than ample money to the credit of certain funds, while legitimate charges and pay-rolls against other appropriations go unliquidated because of temporary financial stringency. It is provided in the Dayton charter that

> **all moneys actually in the treasury to the credit of the fund from which they are to be drawn, and moneys . . . anticipated to come into the treasury . . . shall be considered in the treasury to the credit of the appropriate fund.**

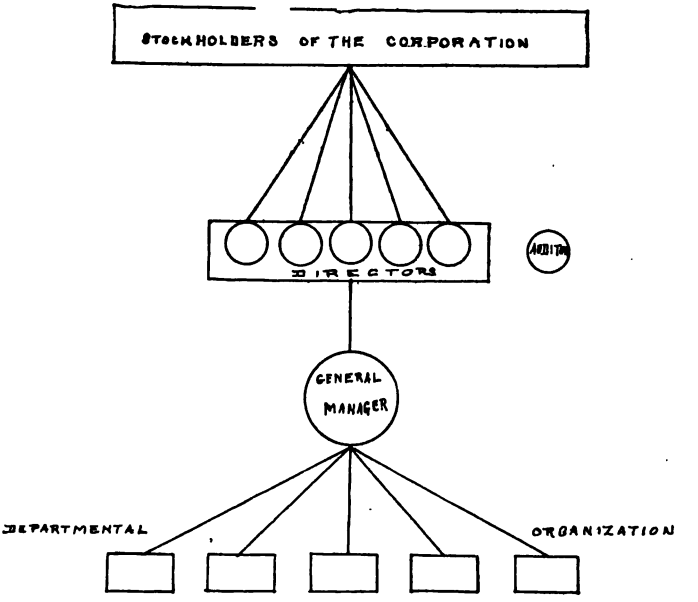
The accounting provisions were arrived at after a lengthy consideration of best municipal accounting practices including New York and Cincinnati procedures, as well as the code in-process of preparation for New Jersey. Difficulty was met, not in determining what systems should be provided, but in reducing the outline of the procedure to fundamentals, and within the limits of a brief charter. Two sections found in the proposed Cleveland charter were finally incorporated, and which require that

> **accounting procedures shall be devised and maintained for the city *adequate to record in detail all transactions affecting the acquisition, custodianship and disposition of values.***

A corollary clause, but the one upon which the above depends for its interpretation, reads in part as follows:

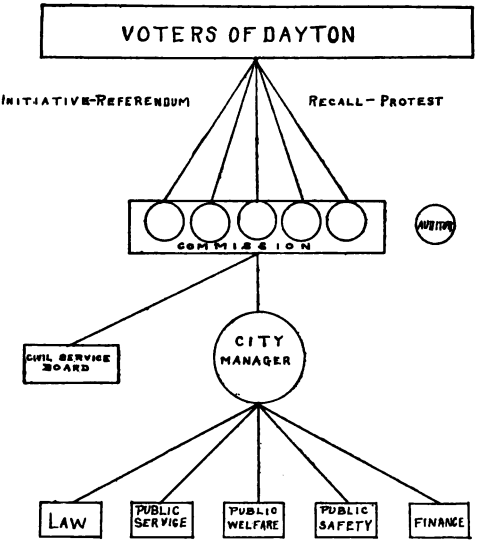
> **the commission shall cause a continuous audit to be made . . . such statements shall include a general balance sheet, exhibiting the assets and**

liabilities of the city supported by departmental schedules, and schedules for each utility publicly owned or operated; summaries of income and expenditure supported by detailed schedules; and also comparisons . . . with the last previous year.



ORGANIZATION OF AN AMERICAN BUSINESS CORPORATION

A strict accounting interpretation of the terms "income and expenditure" will place the city accounting upon a *liability basis* rather than the usual *cash receipts and disbursements basis,* upon which most cities operate. Immediately following the inauguration of the new commission it is expected that ordinances, now in preparation, detailing the departmental procedure necessary under the foregoing clauses will be passed. Such ordinances will specify the ledgers and records to be installed, the method of central control, character of operation reports, unit cost records—in brief will be the basis of an accounting manual for the municipality.

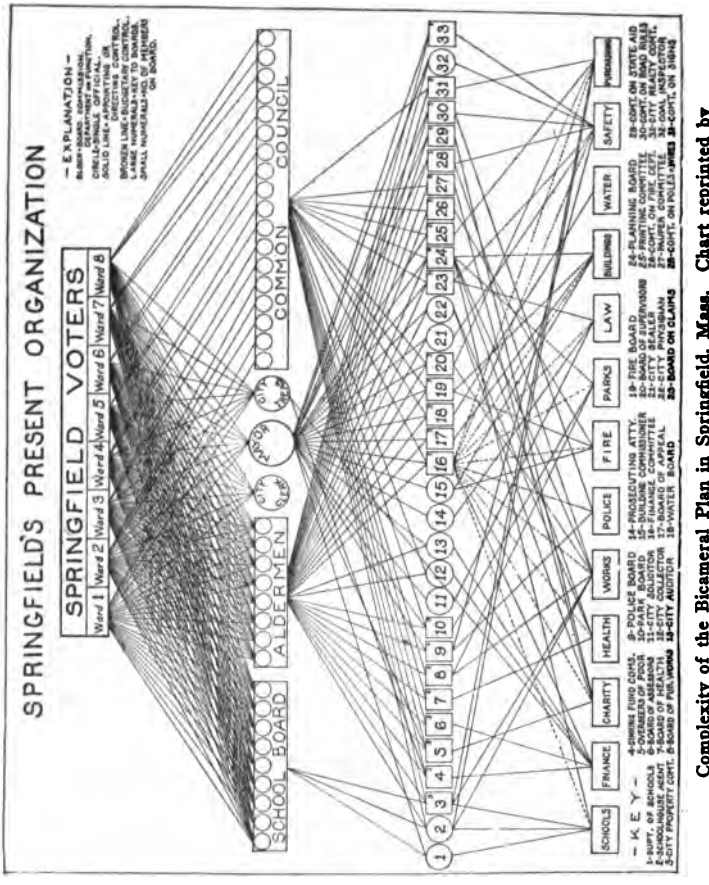


SIMPLICITY, UNIFICATION OF POWERS, CENTRALIZED ADMINISTRATION, THE PRINCIPLES OF BUSINESS ORGANIZATION APPLIED TO CITY GOVERNMENT
DAYTON, OHIO POPULATION 125,000

Dovetailed to these provisions for financial accounting are regulations for proper pay-roll control. It is provided that the "head of each department . . . shall require proper time reports for all services rendered . . . to serve as a basis for the preparation of pay-roll vouchers," and by which each departmental head must submit "current financial and operating statements exhibiting the transactions (of his department) and the cost thereof." In this manner it is believed that adequate fundamental provision has been made for budget making, general finance accounts, costs accounts and operative records.

Revenue systems and forms of taxation are prescribed by general state law, not subject to charter modification. However, complete detail has been provided for the financing of public improvements, too lengthy to be discussed in a brief article.

Public utility franchises may be granted, subject to referendum, but no franchises shall be exclusive, and each shall state the terms under which the property may be assumed by the city;



Complexity of the Bicameral Plan in Springfield, Mass. Chart reprinted by courtesy of the Springfield Bureau of Municipal Research.

or the municipality reserves the right to condemn public utility property.

So brief was the time allowed for the preparation of the Dayton charter, that in many respects the document has a "scissors and paste" character; however, there are numerous features which were given painstaking thought and care—notably the plan of organization and the financial sections. No formal survey of the local government was made, yet the commissioners were familiar with the shortcomings of most of the city departments—the absolute lack of modern accounting system, the absence of efficiency, cost and operating records, the need of budgetary procedure, the weakness of the health service, the partisan and ineffective character of the merit system—sufficiently familiar with these problems to mould a procedure and adopt a program commensurate with the needs of the community. The experience of Dayton will be a distinct contribution to the science of politics.

AMARILLO, TEXAS[1]

Last year we were fighting over an ordinance and a lot of other new legislation and we didn't get to do anything during the first year, except answer kicks and defend ourselves. This year we have been in position to plan work and do it. Our town is of a very level nature, with no drainage at all. If we get six inches fall to the block we are doing very well; ordinarily we get two. We have no storm sewer, but we have plenty of ground to put one in with nowhere to empty it, without going to very great expense. We have been working out a system for draining the town.

Our pure food ordinance was put through last year in about eight months. This ordinance requires an inspection and score of all places where food products are sold—dairies, grocery stores, meat markets, confectioneries, drug stores. All persons handling these things are required to procure a health certificate once a year. The health officer is charged with the duty of looking after these places. In the dairy division they have the tuberculine test. Our people very strenuously objected to it. There

[1] By M. H. Hardin, City Manager. Speech before the City Managers' Association, November 15-17, 1915.

was a charge made of one dollar a head for testing the cattle, but we didn't get the money. The veterinary got that and they objected. I tried to get the city to take that over and hire a veterinary to do the testing but the city attorney ruled that we could do that for any dairies that were within the city limits, but not for those outside. Last year out of 996 cows furnishing the city of Amarillo with milk and butter we found 33 reactors. This year out of something over 1,100, we have found seven so far, and we have made a ruling that where the herd tests out clear this year, that they may go two years, provided that they take nothing into that herd except what is tested and that we are notified of all changes in the herd.

We were paying $2,300 for sprinkling ten blocks of paving. This year we are doing our own sprinkling at a cost the first year of $1,987. $621 of this first year's expense was the cost of the sprinkler and team. We have built a city barn with thirty stalls. The main part of the barn is ninety feet long and thirty-six feet wide. That houses our thirty head of stock and takes care of our feed. We raise our own feed.

And another thing that we have accomplished was to abolish a twenty year street lighting contract that was costing us $120 a year for 265 candle power arc light and $27.50 a year for a sixty candle power carbon filament; in other words, a red hot hairpin in a bottle. In lieu of that we procured a five year contract whereby we got a 250 candle power gas-filled light for sixty dollars a year and we raised our sixty candle powers to eighty and reduced the price from $27.50 to $25.

HOW ONE CITY MANAGER SUCCEEDED[1]

Little old Beaufort is in the "southiest" part of South Carolina. It has gained more than state-wide reputation for four things; its history, its climate, its trucking industries and its political fights. The city manager plan was adopted by a small margin of votes in February, 1915, after a bitter campaign. Three of the city's ablest business men were elected as mayor and councilmen to form the new commission, but the 23-year-old manager nearly wrecked the ship in the launching by siding in with one of the old political factions and attempting to ride roughshod over the heads of his employers. His dismissal led

[1] From the *Short Ballot Bulletin*. August, 1916.

to recall proceedings against two of the three commissioners and the fight was on.

The only "neutral" in town was Harrison Gray Otis, the new city manager. He has stayed neutral ever since. The recall failed and Otis has replaced factional favoritism and political expediency with business efficiency. He is a Michigan man, trained in municipal administration under the New York Bureau of Municipal Research and the Graduate School of the University of Michigan. Otis takes his profession seriously. He spent over a year studying the methods of city managers, visiting Dayton and Springfield, Ohio, Jackson and Cadillac, Michigan, and St. Augustine, Florida. He is the only white man in Beaufort who is not a Democrat. He is strictly independent.

The first year under the management of Mr. Otis ended August 16. During the year every ordinance passed has been upon his recommendation and there has not been a dissenting vote. Every suggestion made to the commission by the manager has been accepted. Not once has the cry of "politics" been raised. And Beaufort has been converted into a little Dayton.

The annual report just published is written in snappy style so the the citizens will read and understand. It sums up 34 definite achievements of which any city may be proud. A large floating debt was wiped out and the year closed with a surplus. This in the face of heavy loss of revenues due to state-wide prohibition.

Modern accounting and a scientific budget system have been installed.

A tax map, showing every lot and building in town, resulted in putting several hundred acres of city real estate on the tax books that had been escaping taxation. Many back taxes have been collected without a protest.

Lawns, gardens and tennis courts have replaced dump heaps.

City purchasing has been put on a competitive basis and accounts paid promptly with a great saving in prices.

"Clean-up Week" is just past and nearly 2,000 cartloads of garbage and trash removed from private premises by city carts without charge.

Mosquitoes and flies have been fought with oil can, drainage and the strong arm of the law.

Building inspection to lessen fire loss has been enforced by stringent ordinance.

A scientific sinking fund schedule has cut down the annual deposits 60 per cent and saved the former overcharge to the taxpayers.

These are some of the things the city-manager plan has brought to Beaufort. Strangers call it the cleanest town in the state. It is clean, physically and politically.

FIRST ANNUAL REPORT OF THE CITY COUNCIL AND CITY MANAGER TO THE CITIZENS OF BEAUFORT, SOUTH CAROLINA[1]

The first year under the commissioner-manager plan ended April 30, 1916. It has been a period devoted largely to "preparedness," to adjusting the various parts of the new administrative machinery so as to secure the mutual understanding and co-operation essential to business success. The close of the year finds the entire city government pulling together and unified in its purpose of treating all citizens with equal fairness and giving the tax-payer the most for his money. Every ordinance passed has received the unanimous vote of the council. Many serious problems have arisen. Some have been solved; some are still unsettled and their solution awaits the coming year. The foundation now laid presages twelve months of progress for 1916.

Government Reorganized.—A simple business organization has replaced the old plan of council committees and unrelated departments. This rearrangement has been gradual and the change brought about without interference with routine work. *The city government of Beaufort is in accord with the model charter adopted by the National Municipal League.*

City Hall Equipped.—A city hall has been secured by remodelling the building formerly used as engine house. Four rooms have been partitioned off and furnished. One serves the combined purpose of central office and council room; a second is used as supply room for the water and light division, while the others are turned over, rent-free, to the government demonstration agents to further the agricultural interests of the community. The Chamber of Commerce is permitted free use of the council

[1] Harrison G. Otis, City Manager.

room for its meetings. The work of equipping the offices was done largely *by prisoners at practically no expense.*

Budget System Introduced.—A complete modern budget system, following the Dayton classification, has been introduced, mapping out the year's work in advance. The budget for the coming year forms a part of this report. *Such a system makes deficits practically impossible.*

Modern Municipal Accounting System.—A complete modern accounting system, comparable to any in the country, has been installed at no expense. It is so simple as to require but little bookkeeping, yet so complete that it furnishes any desired information at a glance.

Deficit Turned to Surplus.—When the new government took up the reins May 1st, 1915, it faced a *deficit* in the current accounts of over $3,350; $2,600 in the general city funds and the balance in the water and light division, due for equipment. The *revenues* for the combined departments have been $1,737 *less than in 1914,* permanent improvements costing over $1,200 have been paid for, and the first of May, 1916, finds a combined current *surplus* of some $700.

Tax Collection Enforced.—For the first time in years the provisions of the tax ordinance relative to penalties was enforced. Penalties were exacted of 70 taxpayers; 23 collections were made by executions and two pieces of property sold at auction by the chief of police. In addition to this collection of current taxes, over $3,000 of alleged delinquent taxes were collected by the treasurer and the ex-city manager. These taxes were paid under protest and suits for recovery are still in the courts. The funds so collected have not been counted as revenue as they are held in a special reserve fund pending the outcome of the suits.

Tax Map Survey.—During the latter part of the fiscal year, a complete survey of the city has been made for the purpose of drafting a map which will be used as the basis for the new tax system. *Over 400 acres of city real estate escaped taxation* in 1915 by being omitted from the tax books, due to the lack of a proper map.

License Revenue increased without raising Fees.—The amount of revenue realized from trade and professional licenses *exceeded the average of the three preceding years by approximately* $500. No fees were raised except on merchants carrying over $10,000 worth of stock. A few new licenses were added, includ-

ing the railroad and insurance companies, the latter being based on the collections made.

"Street" Tax Introduced. To equalize the burden of taxation and help cover the loss of the dispensary profits, an ordinance requiring street duty of four days or a commutation tax of $2.50 of all male residents of proper age and qualifications was passed. The cash revenue received and the work done has proved the plan a sucess.

Scientific Sinking Fund Schedule.—A sinking fund schedule, for the liquidation of city bonds, has been worked out, showing the exact condition of the sinking fund at any moment from the present until the maturity of the bonds in 1930. This schedule shows that if funds continue to earn 4 per cent compounded quarterly, the entire issue can be redeemed at the earliest maturity date by making an annual deposit of but $1,250. Following the former plan of 6½ mills tax, the city put nearly $3,000 in the sinking fund for the preceding year. A continuance of the old plan would have piled up over $80,000 of the taxpayers' money to pay $43,000 worth of bonds.

Competitive Bids for Supplies.—Most city supplies are purchased through competitive bidding. Prices have been cut and patronage given to those deserving it. Incidentally the price of crushed oyster shell, for use on the roads, has been reduced from $2.00 to $1.25 per ton by buying in quantities.

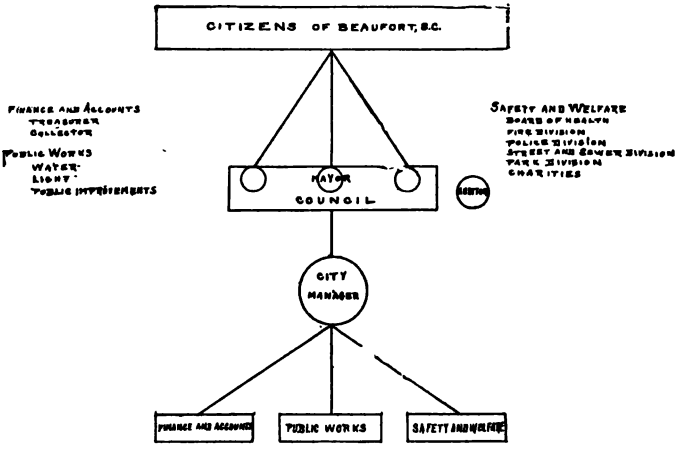
Free Water and Light Service as Dividend to City.—Beginning January 1, 1916, the city discontinued paying the water and light division for its services. The value of this service is in excess of $2,400 a year and as the duplicate plant has been paid for, this amount will be declared a monthly dividend in the way of free service. This is equivalent to a $2,400 *increase of revenue to the general city funds.*

The water and light plant has produced a good dividend on the investment as will be seen in the financial statement. Many new customers have been added. Expenses have been cut by combining the office with that of the other departments, eliminating rent and clerk hire. The profits have been sufficient to pay off all outstanding indebtedness for the duplicate plant installed, to extend the pole line at a cost of over $1,200, to give four months free service to the city valued at $800, and to leave a snug surplus with which to start the new year. Frequent chemical tests by the state board of health prove our water to be of superior

quality and free from all injurious substances. The depot road has been equipped with street lights.

Liquor Laws Rigidly Enforced.—Backed by the Mayor and Council, the police have waged a vigorous campaign against violators of the liquor laws with the result that several convictions have been secured.

Collection of Garbage and Waste.—The city affords free service in collecting all garbage and waste. While this service has been performed heretofore, a more careful attention to



MANAGER PRINCIPLE APPLIED TO A LITTLE CITY OF 3,500 BEAUFORT, S.C.

schedule has increased its value and complaints are very infrequent. Throughout the year city gardeners have been employed to attend to the cutting of grass and repair of sidewalks. Even the raking of leaves has become a city duty.

Sanitation Increased.—Health measures have been passed by the Council and enforced by the Board of Health and police, greatly reducing the number of mosquitoes and flies. These measures include the oiling of all stagnant waters, the cutting of weeds and proper care of garbage. Disinfectants are distributed free to applicants and a large quantity kept on hand at all times to forestall emergencies. Beaufort, from the physician's standpoint, is "distressingly" healthful.

Publicity of City Affairs.—An effort has been made to keep the citizens in touch with the conduct of their government. A column, dedicated to city affairs, has been maintained in the local papers and acknowledgment is hereby made to the Beaufort Gazette and Beaufort County Leader for the courtesies extended. Handbills and posters have explained new ordinances. The public is always invited to attend the sessions of the City Council.

CADILLAC, MICHIGAN[1]

Cadillac is a city of about ten thousand people located in northern Michigan about one hundred miles north of Grand Rapids. Let me say further that the Cadillac automobile is not made in Cadillac City. However, we are now about to make a Cadillac motor truck. We are situated in that part of Michigan which, just a few years age, boasted of inexhaustible timber resources. We are surrounded on three sides by stumps and on the fourth side we rest on the shore of Lake Cadillac, a little lake about six miles in circumference.

Our charter there was placed in operation on April 1, 1914. The reason for the adoption of the city manager plan of government was not because Cadillac was perhaps any worse than the majority of our cities, but the people merely desired to get one dollar's worth for every dollar expended. They wished to get away from the regular annual city election and the attendant regular annual mud slinging. They also felt that by centralizing the administrative functions of government, they would be able to eliminate a great deal of lost energy in their municipal enterprises. Last year our total money, expended for school purposes, amounted to $62,000, for all other municipal purposes about $78,000, that is—in 1914. A comparison of our expenditures in 1914, as against the expenditures of a like period in 1913, shows an actual saving of $7,000, in running expenses of the city. This saving was not effected by curtailing any of the efforts of the city; on the other hand, the work was better done and the personnel of the department was improved over what it had previously been. The economy in expenses is not all apparent

[1] By O. E. Carr, City Manager. Speech before the City Managers' Association, November 15-17, 1915.

when I say seven thousand dollars was saved. We have spent over two thousand dollars in correcting mistakes made by former administrations, simply on account of the lack of good construction methods. For illustration, three years ago a trunk sewer was built there, fifteen inches in diameter. This sewer was laid considerably below the ground water level, and was constructed so poorly that last spring, that is, in 1914, we were unable to pass a two inch rod through it. The sewer was completely filled up, by the infiltration of quicksand in which it was laid. In relaying the section which it has been necessary to reconstruct, it was found that in a section two hundred feet in length, four additional lengths of 24 inch tile were required. That is the best illustration that can be given to show the way in which it was loosely put together. In 1915, we had what was considered a very ambitious program for improvements, including the grading of two and a half miles of streets, the laying of one mile of sewer, the laying of three miles of curbs and gutters, the laying of one mile of sidewalks and one block of brick paving. All this work has now been completed. It has all been done by the city forces with very few exceptions—that is, been done by day labor. It is not possible to say what our saving in 1915 has been as compared to previous years. The figures are not ready except in the detail of the laying of this concrete work, curb and gutter and sidewalk. Early in the spring we purchased a concrete mixer. We also purchased some steel forms for sidewalk, curb and gutter. By comparison with the contract prices prevailing in 1914, under which this same kind of work was done, we have saved in this item alone, something over three thousand dollars to the people of the city of Cadillac.

Now, I have outlined the work done during the past year in the city by the revenue or as outlined in the city budget. The work as shown in the city of Cadillac this last year does not stop there. There have been constructed something over two and a half miles of sixteen foot concrete road, reaching nearly one half the way around our drive around Lake Cadillac. This has been made possible by the generous contributions of our public spirited citienzs. We have also this last year established the first city play ground, the money for this being also donated by one of our wealthy citizens. We have also installed a single unit boulevard lighting system in our business section. The money for this purpose was also entirely donated by our business men.

The work as done this last year is probably more than has been done in this city in the past five years. As far as the work done by money contributed by our wealthy citizens is concerned, there has been more work this past year than has ever been done in the city previously. In conclusion allow me to put the matter as one of the largest contributors stated it to me. This gentleman told me that the reason why the wealthy men of the city of Cadillac were willing to give of their wealth for public improvements in the generous manner in which they had done this year, was because they saw that they were able to receive practically one dollar in value for every dollar given in this way.

CITY MANAGERS' REPORT FOR 1916[1]

The annual report of City Manager T. V. Stephens, presented to the city commission and acepted by the body Wednesday night, is a history of Cadillac's city affairs during 1916. The report is as follows:

A large amount of new improvements have been accomplished during the past year, among which are the following:

One mile of six-foot sidewalk.

Two and a quarter miles of curbs and gutters.

Two and a half miles of 16-foot concrete road.

Eighteen hundred feet of sanitary sewer.

Twenty-eight hundred feet of storm sewer.

Twelve thousand square yards of new macadam.

Twenty-seven hundred square yards of brick pavement.

And a forty-five foot reinforced concrete dam.

Other than new construction work, much was done in the way of repairs to streets, alleys, sidewalks and sewers. Over 10,000 square yards of macadam streets were resurfaced with crushed stone and gravel. About 45,000 square yards of macadam streets were treated with Tarvia "B" with very successful results. This was done with the pressure distributor purchased jointly by the city and Wexford county. The street surfaces were treated with about one-third of a gallon per square yard, the total cost being less than two and one-half cents per square yard. More should be applied during the coming season in order

[1] From *The Cadillac Evening News*, February 23, 1917.

that our macadam streets may be kept in good condition at the least cost of maintenance. About three hundred feet of storm sewer were relaid, and several hundred feet were cleaned and repaired.

The year's supply of cement and brick was contracted for when the market prices were at the minimum. Manhole and catch basin castings were purchased this year for 20 per cent less than was paid in previous years, notwithstanding a 15 per cent increase in labor and materials.

A contract for street-lighting has been awarded for five years resulting in a saving of over $1,240 as compared with the cost for the past five years.

A contract has been made for furnishing electric current for the sewage pumping station under a different rating thereby saving the city over $250 per year for electric power.

A re-design of the Cobbtown trunk sewer was made by the City Manager, representing a saving of $3,500 in construction besides the great inconvenience caused by having to tear up 4,000 square yards of bitulithic pavement on Mitchell street.

The advisability of doing municipal work by day labor can be questioned by none. A typical example of the saving resulting from the employment of day labor under direct municipal supervision was the brick paving on Lake street for which bids were received and rejected, the work being completed by the city with a saving of 46 per cent for labor only.

* * * * *

Previous to the adoption of the commission-manager form of government, no interest was realized from the banks on city deposits. During the past year, over $900 in interest have been credited to the contingent fund for the use of city's money.

An interesting feature of the reports for the past few years is the balance of cash on hand at the end of each year. On January 1st, 1915, the treasurer's report showed a balance on hand of $41.51; January 1st, 1916, a balance of $9,830.62; January 1st, 1917 a balance of $17,899.48 in addition to $10,000 received from the sale of bonds.

Although the labor situation was somewhat critical last season, the progress of the work under the program outlined was not seriously impeded at any time. The bulk of our year's work was completed at an early date and general satisfaction has

voluntarily been expressed by our employers—the citizens. The dividends of a municipal corporation are realized in an effective and efficient public service, and it is with genuine pleasure that we close such a successful year and recount the many improvements and savings of the past season.

To the commissioners, are due the thanks of cooperation and assistance, without which these conditions would have been impossible. Attention should also be called to the services of the city employees, whose interest, good will and hard work have contributed much to the success of the year's accomplishments.

CLARINDA, IOWA[1]

Clarinda, Iowa,
October 20th, 1916

To Whom It May Concern:—

Each mail brings many inquiries to this city requesting information in regard to city manager form of government, which has been in operation in this city since April 1913. The business men, officers of the Commercial Club and City Manager find it impossible to reply to all of these with a personal letter. At the request of many who have received such inquiries I have, in the following, made an effort to set out some of the advantages found in the city manager plan of government over the old system, in the hope that it will be of some value to those seeking such information. Clarinda was the third city in the United States to adopt such a plan. In April, 1913, the Mayor and Council were elected with the understanding they would adopt the city manager plan. At that time, the Iowa law did not provide for the appointment of a city manager, and the Council passed an ordinance creating the office. At the next session of the State Legislature, in January, 1915, a law was enacted containing the same provisions that were in the original Clarinda ordinance. This law is found in Section 6791a Supplementary Supplement of the Code of Iowa of 1915.

The city manager plan of government is just a plain business proposition. If five or six men were the owners of your city and they were required to conduct its affairs, they would

[1] By T. A. Wilson, City Manager, Clarinda, Iowa.

undoubtedly adopt a plan following in the direction of large corporations and employ a manager to look after the details of the business, and especially is this true if they had other private interests to take up their time, as the ordinary councilmen have.

The plan is not a one man power proposition, as some of the uninformed believe it to be. The Mayor and Council make the laws and plan the improvements and direct the City Manager to carry out the details of those plans, and see to the enforcement of the ordinances and laws. If he fails to properly discharge his duties and manage the affairs turned over to him, in an economical manner, he is liable to discharge the same as any executive of a private corporation.

It is found much more convenient and satisfactory to transact business, filing requests and objections, with one man in authority who is always on the job and may be reached within five minutes at any time, rather than search out some councilman, who may, or may not be, on the proper committee to consider the matter before presenting it at the next meeting of the Council for their consideration, subjecting the matter thereby to a further delay incident to securing action through their instructions to the proper committee. In addition to the speeding up of action, in every instance, the installing of system in every department, more especially that of accounting, affords an absolute knowledge in every detail of the city and its affairs by the City Manager, enabling him to conserve its resources in ways and at times where it would not be done by the Council committees; not only saving money to the tax payers but satisfying them by prompt and efficient service.

Money is not paid out for bosses or commissioners in every department. The City Manager superintends all of the work of the various city departments, employs such help as it needs, and discharges this help when it is seen that they are not giving the city full value in time and labor for the pay they receive.

Politics have no place in the scheme and as the manager's job and future depends essentially upon the results he produces, no favors are dispensed as has been the regular custom under the old council system, and campaign favors and promises must be paid in some other manner than through municipal patronage. The argument has often been advanced that if a poor man is procured for manager, the plan will not be a success, and that you cannot pick up a man every day who will prove a success as city

manager. This is true in the direction of all affairs where the services of a manager are considered. Our large private corporations cannot at all times secure competent managers but that does not necessarily prove that their business is not a good one, or that their system is wrong.

No one would advance the claim that any large private corporation could turn their business over to a new board of directors every two or four years, as is the custom in cities under the old plan of government. In this city, new councilmen have been elected about every two years. The Water Department was given over to a committee from that Council who took full charge of the plant, the value of which is one hundred thousand dollars. The fact that the Water Committee had never had any experience along that line, had never been inside of the plant in their lives, made no difference. What is true in the Water Department is true in all other departments of the city.

Any city employing a city manager and giving him authority to manage the affairs of that city, as the board of directors give the managers of large corporations authority, will find at the close of the first year's business he has saved the city several times his salary, and the people will have had better service. The lowest bid for a storm sewer built here last year was $5,700, all bids were rejected and the city built the sewer for $4,100, saving $1,600. Time—six weeks, salary of City Manager $1,700—twelve months.

ONE YEAR OF CITY MANAGEMENT IN DAYTON, OHIO[1]

In Dayton, Ohio, a city of 130,000 population, an effort has been made by altering the type of government to remedy some of the more apparent deficiencies common to municipal administrations in this country. It is believed that by eliminating partisanship, concentrating responsibility, and providing for permanence in the tenure of administrative offices there should be a decided increase in the efficiency with which public affairs are conducted. Dayton has not pinned its faith for reform either

[1] By Lent D. Upson, Director, Bureau of Municipal Research. Reprinted with additional matter from the *Real Estate Magazine* of January, 1915.

upon improved governmental machinery or upon better men, but has endeavored to combine sensibly these two factors.

Type of government

In the Dayton government the legislative power resides in a commission of five, elected at large on a non-partisan ticket. This commission has all the powers which formerly resided in the city council. Their control of the city budget is in unusual detail; they pass improvement ordinances; they enact police regulations, which in Dayton as in most cities are concerned with muzzling dogs and the preventing of "jay walking," and finally they appoint a city manager or general head of departments.

All administrative functions are delegated to this city manager, appointed for an indefinite term; trained for his particular job; and upon whom is placed the responsibility of securing an economical and efficient government. He is purely an administrative officer with administrative functions only.

Frankly, his position is predicated on the assumption that while every American citizen is capable of governing himself, not every citizen is capable of being elected to and administering the office of city engineer, city physician, city attorney, city bridge builder or city chemist. These positions have nothing whatever to do with the policies of city government, and if the public money is to bring a maximum of results, these jobs must be filled for ability rather than national political belief. The rights of the public are amply protected through this organization. Certainly the voter has little concern in technical details of how administrative policies are carried out.

Financial results secured

The results which have been secured from this separation of legislative and administrative powers, and the correlation of departmental efforts have been notable. In the management of public funds alone new methods have more than justified the change. Public expenditures have been kept strictly within the income, instead of an annual deficit of $60,000 a year which prevailed for the six years previous. An accounting system is being installed equal to that of any private concern in the country, and which will furnish a complete control over both funds and property. Liabilities may not be incurred unless there are funds for

their liquidation, thus absolutely preventing over-drafts. Funds are appropriated in accordance with a detailed budget classified by activity of departments and character of expenditure. Supplies and equipment are being standardized, and the purchasing division is buying from the lowest and best bidder, and not from friends of the administration.

In place of a record of cash receipts and cash expenditures suitable to a cross-roads grocery, and which prevails in practically every municipality, Dayton has made possible a balance sheet, supported by distinct schedules for each public utility and industry owned; provided an adequate control over permanent property, equipment and stores; and has a definite knowledge of accounts receivable and of liabilities incurred, so that no revenues may escape collection, nor appropriations and allotments be overdrawn. Adequate centralized accounting has insured the payment of several thousand dollars of revenue formerly lost; made overdrafts impossible; discovered errors of over two hundred thousand dollars in sinking fund calculations; makes all disbursements by checks; and controls the cost records installed over street repairs, street cleaning, garbage and ash removal, etc.

Purchasing supplies

It is in the purchasing of supplies that the most notable savings have been made and which will amount to more than $33,000 on an expenditure of $200,000. A department may not purchase until its requisition has been approved by the manager, and the purchasing agent does not order until he is assured by the accounting division that appropriated funds are available and have been properly encumbered therefor. Prices are ten per cent to ninety per cent less than those formerly paid. Bills are discounted at two per cent for payment within ten days after the first of the month following. Recognizing that prices fluctuate, larger savings taken at random are: printed matter, $1,000; cylinder oil, $1,000; coal, $400; meat, $560; fire hose, $1,600, etc.

Public betterments

In public works the handicap of inadequate funds has been overcome in part by increased efficiency. The extension of service has been unusual. Inspection of public contract work has been completely reorganized and contractors rigidly required to

conform to specifications. Street repairs are being made entirely from public revenues with the exception of a balance from bonds issued in former years; there is almost double the amount of street cleaning; streets in the business section are flushed for the first time in the history of the city; collection of rubbish and ashes has been resumed after a year of lapse and made efficient, and reasonably adequate garbage collection is to be had for the first time in ten years. In the division of water every effort has been made to secure a supply more nearly equal to the demand. Pumping machinery has been overhauled, leaks investigated, pressure increased, and in the face of increased pumpage there has been a decrease in the amount of coal burned. A municipal garage has been established; all cars are labeled, their use placed under control, and record of costs installed.

The mention of public work improvements leads to a discussion of the necessity of a program for the future. In Dayton a conscientious effort has been made to outline work in many directions. The water plans which have been recently completed will cover sixteen years of construction; a sewer survey costing $30,000 is under way; a comprehensive study of public waste disposal has been made; an investigation of adult delinquency is being completed, and upon its findings will be based the future correctional policies of the municipality. The administration may change, and the present appointed executives make way for others, but their successors will have a definite plan for public construction which they must follow or set aside only after consideration. They will not be required to go ahead on guesswork, or on the plane of only one or two years anticipated duration.

Work for public welfare

Dayton has definitely provided in its charter for a department of public welfare which shall direct activities having to do with the social and moral conditions of the citizen—health, charities, recreation, corrections, etc. Civic progress through this department has been extraordinary and the administration may lean most heavily for support upon the results secured. The health division was studied and reorganized. In addition the nursing of the Visiting Nurses Association and of the Tuberculosis Society has been brought under city management. This single control of public nursing has resulted in an infant death rate from forty per cent to fifty per cent lower than that in

three years previous. The removal of insanitary conditions; the regulation of vacant property; a more careful inspection of dairies and places where food products are sold; the stringent regulation of quarantine; and the inspection of school children who have been exposed to contagion lessened morbidity and has reduced the death rate by two points in a thousand, the equivalent of some two hundred and fifty lives. This is notable, and there is nothing of which the administration in Dayton may be prouder than the fifty-five babies' lives which have been saved.

The facilities for public recreation have been extended far beyond those formerly prevailing. A self-supporting public bathing beach has been opened, in connection with which next year there will be operated a municipal dance hall and restaurant. Seventy-five families cultivated community gardens last summer; there were twenty-two experimental gardens for hundreds of school children under the supervision of an expert gardener; and nearly three hundred vacant lots were prepared as gardens. The number of playgrounds under public supervision has been doubled, and new equipment secured until there are now thirty-five play centers for young people.

In the treatment of adult delinquents, new policies are being tried—the moral effect of clean clothing and plenty of baths has been combined with outdoor labor which would otherwise have gone undone. In frequent cases men and women have been placed on probation and jobs secured for them. A municipal lodging house has been established where a half day's labor is exacted for a night's lodging with meals. A free legal aid bureau has been established for those who are too poor to secure private counsel. This division at a cost of $625 has handled over seven hundred applications for services. The city's prosecutor on the other hand has done commendable work in settling family quarrels and back fence squabbles without appeal to the law.

Many improvements planned

Other progressive works of this city involve the regular conference of department heads; the gradual elimination of public dumps; a thorough investigation of the safety department and pension funds; the beginning of a school for police and firemen; the purchase of motor fire apparatus; the establishment of a municipal garage; a new building code; improved city car service; a civic music league; new traffic regulations; efficient

inspection of street contracts; the creation of street oiling districts and many other worthy innovations—at least to conservative Dayton.

Costs involved

The tax payer, however, much as he may approve these improvements in government, naturally inquires as to the increased cost. And if economies have been effected, what has been done with the savings? The operating revenues for the year just ending were $77,709 more than for the year preceding. With this sum, plus savings, the following are a part of the additional services rendered:

Ash and rubbish removal. No service in 1913; amount expended in 1914, $35,000.

Street repair. Increased this expenditure from income in 1914 over 1913, without issuing bonds, by $23,000.

Additional street cleaning. Almost double the 1913 appropriation was allowed in 1914 by an increase of $12,500.

Additional health service. Almost double the 1913 appropriation was allowed in 1914 by an increase of $15,000.

Parks and Playgrounds. Increased $8,000 in 1914, doubling the number of playgrounds.

Police Department. Increased $6,700 in 1914 by the addition of seven policemen and two policewomen.

Continuous audit. None in 1913; 1914, $2,000.

Purchasing. None in 1913; 1914, $3,900.

Special garbage investigation. None in 1913; 1914, $2,000.

Free Legal Aid. None in 1913; 1914, $625.

Police and fire pensions fund. None taken from income in 1913; 1914, $5,600.

New Municipal Court. Increased $19,000 in 1914.

It must be remembered that as a result of flood emergency bonds, the old administration operated certain departments for several months almost entirely from bond money. Also the operation of restrictive tax laws in Ohio has reduced municipal expenditures to a point below that at which adequate government may be secured. It is a happy circumstance that the new government was able to secure a small addition in revenues, and they have rendered a more than satisfactory account of their increased stewardship. Lastly, cheapness is no more a criterion

of good government than it is of good clothes, good tobacco or of good household necessities.

The government of Dayton is not ideal. Human frailties, local prejudices, and inadequate funds will always combine to make that a mark only to be approached. However, applying any recognized tests, it has already outstripped in results anything yet secured from commission government. Of even greater value than material progress is the stimulation of citizen's interest which has taken place. A greater degree of accomplishment is being demanded of public officers than ever before, and it is possible that in time an efficient citizenship will come to take the part in government which it is proper and necessary that it should.

DAYTON, OHIO[1]

City Commission

Regular meetings. Fifty-two regular meetings of the City Commission were held during the year. These meetings were held every Wednesday morning, and being public sessions, citizens in greater or less numbers were nearly always present. Nineteen special meetings were held and seventy-two conferences were called, for the consideration of problems as occasion required. Two hundred and ninety-four ordinances were given consideration during the year, as well as eighty-nine resolutions, fifty-three of which pertained to public improvements.

Inspection trips. The Commission took fifty-five trips over the city during the year, thus keeping personally in touch with all proposed improvements and all construction work under way, as well as making such other investigations as were found advisable.

City Planning Board

The Board was appointed by the City Commission in 1914 to carry out the spirit of the charter, which allows the city to plan within the area of the city and three miles outside. The Conservancy Engineers had taken considerable topography which has been added to, to a considerable extent, by the work that

[1] High Spots of accomplishment as shown by excerpts from the annual report of City Manager, H. M. Waite, for the year 1915. (Report published by the City Commission June, 1916. Copies may be secured from the Bureau of Research, 13 Schwind Bldg., Dayton, Ohio.)

these data in the hands of the city planning board, all proposed new platting is turned over to them and passed upon before adoption by the city. By this means considerable changes have has been done by the city engineers on the sewer survey. With been made which will obviate in the future the same unfortunate dead end streets that we have at the present time.

It is hoped by the City Planning Board that they may eventually carry on the topography surveys beyond the city limits, and submit to the Commission a complete plan for all future annexations and developments.

This Board has been working on general boulevard connections, park lay-outs, and a civic center. This takes considerable work and thought, so that the plans of Dayton for one hundred years from now can be laid out and lived up to as the city can afford the expense.

Civil Service Board

Uniform salaries for uniform work. All positions having similar duties in the city government should have the same rate of compensation, and this salary should be an adequate one, based upon the importance, difficulty, responsibility and value of the work. To-day unsatisfactory and unequal conditions exist in numerous instances.

In order to standardize positions and salaries, by describing the duties of all positions and determining what salaries each should receive, the Board made a systematic and thoro investigation of compensation paid by other municipalities and by local concerns having analogous positions. When these facts, as well as other considerations, are applied to Dayton, recommendations will be presented to the City Commission.

Efficiency records kept. Daily efficiency records are kept of employes in every city department, and a monthly report is submitted by the department head to the Civil Service Board. These efficiency records are based upon the quality and quantity of work, discipline, attendance, initiative and the ability of the individual in his relations with the public. These records are of value in securing the best service from the individual and are one of the factors in determining promotion. During the year 14 efficiency examinations were given to 521 persons. The Board compiles efficiency records for the year for every department and each employe is notified of his annual record.

Office of the City Manager

City Manager the main spring. The beginning and the end of all municipal administrative matters are vested in the City Manager. In the holding of staff meetings once each week, the Manager outlines with his five directors all policies; intricate questions are decided, grievances are disposed of, and decisive action in regard to various administrative matters is determined. This is a co-operative adjunct which facilitates matters and brings forth results. From eight to eleven o'clock each morning, the Manager is sought by Departmental Heads to determine various questions that have come up, and which are solely within his power to decide. Some of these matters are of great consequence, and upon the Manager's decision hinges the expenditure of thousands of dollars of the public funds. The Manager attended all meetings of the Commission in 1915, besides holding a weekly conference with this body each Monday afternoon, and making a weekly trip with the members of the Commission over public improvements in the course of construction.

Controlling the public purse. The City Manager is held directly responsible for all expenditures of money. Besides fixing the salaries, he prepares all appropriations. In compiling the annual tax budget and also the annual appropriation budget, the City Manager has the biggest job of any one man in the city government. In 1915, facing a shortage in tax revenues of $167,000 to meet the needed expenses of the municipality, the City Manager was confronted with the gravest financial crisis in the city's career. In 1914 he cut the estimated expenses of the city $45,000 to keep within the cash income, and in 1915 he cut the estimate $70,000. This work was done in 1915 upon the budget to operate the city for 1916. The fixing of these two budgets being the most vital operation in the affairs of municipal government, it naturally consumes great periods of times, study and forethought. The complexity of the present tax law is such that the duties devolving upon the City Manager in these instances are most responsible. In detail, down to the merest cent nothing can be overlooked. When these budgets are compiled, the adding to an appropriation, or the cutting down of an estimate upon which the appropriations are based, is so vital to the city's interest, that the City Manager must be fore-armed with all the necessary data before he can utilize his pencil in the final shaping of these two budgets.

Municipal exhibit held. The City co-operated with the Schools and County in putting on a Municipal Exhibit, under the auspices of the Bureau of Municipal Research. This exhibit was one of the best of its kind ever given in any city. It was held at Memorial Hall, October 11th, thru the 18th, and proved a highly educational affair. By means of charts, photographs and physical displays, the scope and method of operation of every city department were shown explicitly. The show cost $1,500 and had an attendance of nearly 45,000, including 8,700 school children. The cost was borne by public-spirited citizens.

The open sesame for complaints. Not least among the Manager's troubles are the daily complaints received in his office. While each of the individual departments must spend a good deal of time in answering complaints from the public, the bulk is transmitted thru the office of the City Manager. While the minor complaints are handled by the secretary in his office, the larger and more serious are always taken up direct with the City Manager. The public seems to demand the ear, time and talents of the City Manager. Over 12,000 people last year talked with the City Manager on matters ranging from minor complaints to those of serious character. The slogan of the City Manager is, "Action is the keynote of good government."

The City Manager and the school children. The City Manager has long realized that, if the Commission Manager form of government is the ideal success it ought to be, the citizenship of Dayton must understand its government. In the study of civil government in the public schools, there has been compiled a history of Dayton which is to be a standard text book in the Dayton public schools in matters of local history. In order to acquaint the rising generation with the plans, purposes and ideals and the results to be achieved for the people of Dayton under the present form of government, however, the City Manager has taken the position that not only should the adult citizen be educated, but school children should be thoroly acquainted with all the essentials of Civic Management. To that end, he has given quite a few talks during the past year before the various grades in the public schools, and during the year 1916 intends to offer a cash prize to the school child writing the best essay on the achievements of the Commission Manager form of government.

Street car re-routing planned. In an effort to provide better transportation facilities on all car lines thruout the city, the City

Manager sought from the several companies a re-routing of their lines and cars. The street car traffic is a big problem in Dayton, by reason of the existence of franchises to seven different companies, some of which have several lines and divisions. The views of the City Manager are looked upon favorably by the car companies, which have named a special committee to work out an entirely new re-routing plan.

Bond issue campaign successful. One of the most significant events during 1915 was the favorable vote of the people upon nine bond issues, aggregating $1,053,000 for permanent public improvements, the benefits of which will affect every section of the city. The issues were for extensive street and sewer construction, two new fire stations and motorized apparatus, storm water sewers, improving playgrounds and parks, providing a new work farm, improving the central market house, and building a new bridge at Keowee Street.

Why the people were asked to vote these improvements. The existing tax laws of Ohio require that the annual interest and sinking fund to retire at maturity the bonds issued by the Commission must be taken out of revenues coming to the City out of its share of a 1 per cent tax on property. All operating revenue from taxes must also come from this 1 per cent tax; therefore, every issue of bonds authorized by the City Commission reduces the amount of money available for operating the city departments. If the Commission had voted these bonds without the authority of the people, it would have crippled the city service to a dangerous degree.

An additional section of the law, however, provides that by a two-thirds affirmative vote of the people the City Commission may issue bonds that take the annual interest and sinking fund requirements from outside the 1 per cent tax. Therefore, the people were asked to express themselves upon the matter of these improvements—the government was carried back to the people.

Endorsement of the administration. All the newspapers supported the issues, and all the civic organizations approved and worked for the issues. The City Manager and other officials conducted an educational campaign for two months prior to the election, explaining the necessity of voting for these improvements. The people manifested their endorsement of the administration's program by passing all nine bond issues by over the necessary two-thirds majority.

Department of public service

Eight hour day for labor. The eight hour day for laborers, introduced by this administration in 1914, was continued this year and affects this department more than others because of the large amount of laborers employed. The eight hour law became effective this year for employes working for contractors on public improvements. As a result the cost to the city will be higher.

Planning sewers for future needs. A complete topographical study of the city was made and an investigation of the condition of all sanitary and storm water sewers reported. A plat of the 200 miles of sewers and 100 miles of drains was completed, and over half of the final maps are now available. These maps will prove of inestimable value in city planning, establishing grades, laying out plats, and all other activities.

Three new bridge plans completed. Detailed plans and specifications on the Fifth Street, Webster Street and Keowee Street bridges were prepared, preliminary to advertising for bids for their construction. The actual work of building these three structures had to be held up pending decisions on Flood Prevention. Particular attention is being given to making these bridges of artistic design. The Stewart Street bridge approach was completed by building a temporary bridge over the Canal, so that this structure is now open for traffic without transgressing private property.

Additional street oiling done. Three times as many petitions for the oiling of streets were received in 1915 as in 1914. Thirty-six miles of streets were oiled as compared with 11 miles the year before. The contract price for the heavy asphaltic oil used was reduced from $3.25 in 1914 to $1.95 in 1915. The cost of this work is paid by special assessment on the abutting property.

City markets enlarged. The Wayne Avenue market area in the rear of the Market House was paved and additional lighting provided, for the convenience of both the public and those occupying these spaces. The interior of Central Market House was renovated and decorated, and a new floor laid, at a cost of $3,700. The city sealer was given quarters on the ground floor. By an ordinance passed during the year leases on curb spaces are now prolonged, resulting in great convenience to both tenants and patrons. Additional free market space was provided on

Fifth Street. A children's market, for the sale by them of their own produce, was established on Fourth Street.

Garbage collection increased. The best indication of improved service given in garbage collection is the falling off of complaints. Additional territory has been covered, while the total cost of collection has been reduced. A regular service every week is now given for the entire city, except the downtown hotel district, where the service is daily. The excellent results given by this branch of service are shown below:

Year	Tons Collected	Cost Per Ton
1912	14,800*	$2.60
1913	14,900*	2.49
1914	12,600*	1.82
1915	15,500	1.60

* One-half or more water.

New garbage reduction plan built and operating. A garbage reduction plant was constructed during the year at a cost of $59,000. It is located at Whitfield, about 6 miles southwest of the city, and was placed in operation in December, so that all of the city's garbage is being reduced. The sales of the by-products will pay for the operation of the plant, interest on investment, depreciation, and also leave a substantial profit. Formerly there had been no return from garbage, as the city had been burying it, and consequently there was no revenue whatever in connection with this service.

Ash and rubbish collection improved. The territory covered by the collectors has been enlarged and collections are made every two weeks thruout the entire year, instead of every fourth week as prevailed during part of 1914. There was no collection whatever in 1913. Reduced costs are also shown in this service —an average of 38 cents per cubic yard for 1915 as against 43.8 cents in 1914. "Spring Clean Up Day" was handled by this bureau, the city being divided into several sections, each having a definite collection day, and the result being the removal of a very large amount of rubbish. Reduced costs of conducting this activity will be possible thru the taking over of many horses from the division of fire, due to motorization. Fourteen ash wagons each of 5 cubic yards capacity were also purchased. This Bureau now has 31 head of horses.

Additional water works supply. Much was done to remedy

the inadequate water service previously existing thruout the city. All the work done and planned gave due regard to a general plan of development adequate to take care of the future growth of the city, and all the important work received the approval of the National Board of Fire Underwriters. Tate's Hill Station was completed early in the year, affording an additional supply of 10,000,000 gallons per day. Owing to the wet season it was but little called upon, but its value is inestimable in case of a big fire or a dry season.

Mileage of water mains extended. Twenty miles of water mains were laid in the first 8 months of the year. For the past 10 years Dayton has suffered from a serious shortage of water during the dry season. Its supply of water for even domestic purposes was wholly inadequate. Some sections of the city, as Dayton View and Edgemont, were unable to get water at all on some days or at certain hours of the day. This has now been overcome entirely, and no section of the city suffers from the shortage of water. The water works system was begun about 1870, and during the 45 years of its life about 200 miles of pipe were laid until 1915, when in this one year the mileage was increased 10 per cent.

Examples of big savings. An immense main was laid across the river just above the Dayton View Bridge, to increase the water supply in Dayton View. This main was finished in September, despite many delays due to frequent rains and consequent rises of the river, and when finally completed the direct cost was about 18 per cent lower than the only bid received from contractors for the work. The 24-inch main laid under the river just above the Fifth Street bridge, to give additional water to Edgemont, was connected up in March. The entire cost of this extension was $3,500, while the lowest bid received from contractors was $8,000.

Water service planned for future growth. Comprehensive plans have been prepared, calling for improvements in the source of supply and in the distributing mains, in order to care adequately for the population of the city when it has grown to more than 200,000. Every piece of construction work in the Division of Water is done in accordance with this plan, and the best engineering experts in the country on the subject of water systems are consulted on it before the work is started.

Department of public welfare

Prisoners given profitable employment. A probation system, entirely new in the history of workhouse administration, was established in April, 1915, whereby prisoners are secured work in shops at regular wages. Their earnings are used to support their families, pay off debts, purchase clothing, etc. No liberty, other than the privilege of working outside of the workhouse, is allowed. Thirty-six men were put on probation under this plan, and only three violated the confidence. Four homes were rehabilitated. The total earning of these men was $2,025.70 in eight months.

Vagrancy reduced in the city. The problem of vagrancy was solved by requiring lodgers in the municipal lodging house to bathe and do one-half day's work. During 22 nights in December, 1915, with bath and work made cumpulsory, 424 men were housed; during 22 nights in December, 1914, without requiring bath and work, 1,220 men were housed. All lodgers with a written agreement from employers to provide them with work, or who presented time checks, were not required to work one-half day, but were given lodgings two nights or until earnings were received. Seven resident and six non-resident lodgers thus secured work in the city the second or third day.

Free legal service to the needy. Legal advice and assistance was given in 1915 to 863 people who were deserving but could not afford to pay for it. This service cost the city $1,222, an average of $1.41 per case. Much money was saved the applicants for aid as well as the collection of $670 being effected by the office for those who could not make the settlement for themselves.

Recreation work extended. The work done by the city to afford recreational privileges to the public was more extensive than ever before. At Bomberger Park there were conducted 199 classes for men and boys, and 213 classes for girls and women; the hall was opened for dances thruout the entire season; 13 lectures and entertainments were given; and a basket ball league played 150 games. The total attendance at this park was 60,330.

Playgrounds. Eighteen playgrounds were operated for ten weeks under the supervision of the Division of Recreation. Thirteen of these were financed by the Playgrounds and Gar-

dens Association, and the rest by public funds. Supervisors of these playgrounds were selected by examination, taken after a course of lectures in the work.

Play festival. For the first time in the history of Dayton a magnificent play festival marked the close of the season. Fourteen playgrounds were represented by 328 children, the children being in the costume of some particular nation, and the festival representing the folk games and folk dances of fourteen nations.

Americanization Day. On July Fourth, Americanization Day was held, the Mayor presiding, when formal welcome was given to 134 lately naturalized foreign born citizens of Dayton. Addresses were made in several languages, and a fitting program carried out.

Decreasing death rate. A fair measure of the effective service being given the city by this department is indicated in the death rate:

1913	15.7	per thousand population
1914	13.7	per thousand population
1915	13.007	per thousand population

Saving babies' lives. A continuous campaign to save the lives of babies in Dayton, thru education of the mother in matters of feeding, dressing and caring for them, has resulted in a lowering of the rate of infant mortality from 95.8 per thousand in 1914 to 88.8 in 1915. This low rate is equalled by few, if any, cities in America.

Extensive medical and nursing service. The five district physicians reached 1,601 patients; conducted 161 clinics; responded to police and emergency calls; treated city prisoners; and made 838 school inspections for a total of 180,062 pupils. Four nurses employed by the city, and eight from private funds, co-operated with the Division of Health in making 48,000 calls during the year. These were public nursing, instructional, prenatal, quarantine, tuberculosis and school absentee calls. The City Laboratory made the necessary analysis and tests, diphtheria cultures and other examinations in connection with this general health work and the prevention of the spread of disease.

Department of law

Investigation of gas question. The contract for gas street lighting was taken to the Supreme Court, which determined that

the contract let several years ago was invalid, and a temporary arrangement was made with the gas company until the natural gas rate could be adjusted. The negotiations with the gas company relative to the rate for natural gas have taken much time, and resulted in an appeal to the Ohio Utilities Commission.

Ohio tax laws require close study. Difficulties with purchasers of bonds of the city, due to objections of their attorneys to Dayton bonds because of tax limitations, called for an extensive study of this subject, and the adoption of the plan of submitting bond requirements to the vote of the people. The action of the County Budget Commission in reducing the city's portion of the levy led to a suit in mandamus against the Commission in the Supreme Court of the State, and resulted in a complete adjudication upon the powers of the Commission by the Court.

Department of public safety

Educational society formed by policemen and firemen. A society composed of members of the divisions of police and fire formed an educational society, incorporating under the State laws. The objects are to advance the knowledge of the division members in their work, and to effect a closer co-operation between them. A Field Day was held at the Fair Grounds, which netted about $3,000, and this money was expended in sending a traffic squad to Detroit to study traffic conditions there. A company of 17 men from both police and fire divisions was sent on a tour of the large Eastern cities, to study general conditions. They brought back much valuable information to be applied to Dayton. A moving picture of the work of the divisions was also prepared and paid for out of these funds.

Reorganization of the division of police. In order to effect a more efficient force a reorganization of the entire division was made on June 1, assigning to each member his proper duties and fixing his authority.

A new and complete system of reporting was introduced and reports are now kept up-to-date. The principal one is the consolidated daily report, which in a concise form shows the entire activities of division for the day previous. This report goes to the Director of the department each morning.

Provision was made for the handling of all complaints, which are now recorded at any time during the twenty-four hours of the day. The entire time of a clerk is devoted to this service,

and facilities are provided to give any complaint the necessary attention at once.

Policewomen. A wide field of corrective work was covered by the two Policewomen during 1915. Their investigations involved abnormal domestic relations and girls and children in danger from immoral conditions; supervision of dance halls and places of amusement, and complaints against disorderly houses. Special attention was given to a strict enforcement of the city's regulations for dance halls and the character and behavior of those attending. Also the youngest boys and girls who were selling papers on the streets were taken off. There were 1,156 cases handled by the Policewomen, 872 representing family work and 284 probation cases. The large increase in cases of irregular family conditions emphasizes the need for a Court of Domestic Relations.

Department of finance

Accounting procedure improved. Progress was made in arranging for monthly reports from the various divisions, which are in accord with the central scheme of accounting. Monthly statements of each of the funds are now prepared; and the voucher system of payment was improved to be handled promptly.

Paymaster saves costs in paying wages. Thru having a paymaster travel around to the various places where labor is working, instead of employes coming to the Treasurer's offices, savings of $1,350 were effected.

Gasoline at 9 cents. An instance of anticipating market price increases is indicated in the year's contract for gasoline at 9 cents per gallon, made in August, 1915, and the present market price is 24 cents.

Centralized purchasing and stores successful. Articles of every description were purchased thru this office, and 5,236 requisitions from all departments received. Specifications were prepared on about twenty-five of the largest consumed commodities—as coal, fire hose, stationery, cement, paint, etc. Thru the establishment of a central storeroom largely used supplies were purchased in great quantities, for delivery to the departments as needed, and large savings made.

Sound financial condition of city. The condition of the General Fund shows a material improvement when compared with the previous year. On December 31, 1914, the net deficiency in

the General Fund amounted to $72,122.02. This deficit was reduced to $24,925.15 in December 31, 1915. The net bonded debt of the city was increased from $6,463,775.35 to $6,917,403.55 or a total of $453,628.20. New bonds to the amount of $797,800 were issued during the year, mostly for a Garbage Reduction Plant, Water Works improvements and for Sewer, Bridge and other permanent improvements. Bonds to the amount of $330,300 were redeemed during the year.

GROVE CITY, PENNSYLVANIA[1]

It is a long jump from Dayton to Grove City, not in distance but in size. Grove City is a town of about five thousand people, seventy miles northwest of Pittsburgh in Northwestern Pennsylvania. It has always had the name of being a very progressive little town. Some two years ago Grove City had an epidemic of typhoid fever, the result of lack of care in the water supply. Wells had been driven along the creek bank, the casing got out, and the creek water got in. As a result a committee was appointed by the council to look up a man for manager. I went to Grove City on the 15th of April, 1914, and I have not had very much rest since. The first thing I found was that there was some opposition, sly opposition working as an undercurrent. The good people of the town, business men were with us; so was the Commercial Club.

The Council in adopting this plan passed an ordinance which they thought was very good, but I found they didn't make it comprehensive enough. They did not put the books of the secretary of council in my office, so that I can not keep comparisons as the secretary's records are kept entirely different from my own. Mine are cost data. I handle all the money, except local expense, and help expense, which I O. K. but do not have anything to say as to its expenditure.

The first thing I ran up against was a street paving job for which proceedings had been partly under way. In the first place one of the workmen they had—the engineer they had hired by day work—had gotten some $2,100 out of them for services, mostly for paving and sewer work. They wanted me to do the

[1] By J. S. Ekey, City Manager. Speech before the City Managers' Association, November 15-17, 1915.

work and not give it to a contractor. I wanted them to give the contract. Finally I compromised and took the short street, some three thousand yards and gave the longer street of some twelve thousand yards out to contract, so I had something to compare with. I finished the job and my curb and concrete curb and gutter by hand while the contractor did his with machinery. I beat him only six per cent on it which I considered good considering the length of my job and the fact I only got organized on it, you might say. Then we took up the water works trouble and we spent some thirty thousand dollars in remodeling the whole system, drilling new wells, moving our pumps, putting up standpipe and laying new mains. We saved four thousand dollars, including engineering expenses, on that.

We are like some others that have reported here—we have recently put in a storm sewer of some 1,400 feet, 24 and 20 inch, and I made an estimate of what that would cost—$2,100, and I did it for $1,800. We saved $300 in addition to the contractor's profit which is about 20 per cent in that country on sewer work. I have figured up the overhead charge on the year's business, practically putting in everything in the office as overhead charge so as to satisfy them all and I figure that my overhead charge is about 3 9-10 per cent. One little comparison I had there from the year previous on the paving work, I found the engineer had charged them at the rate of 4 9-10 per cent for his services as engineer on the paving work. I figured 2 4-10 per cent.

HOW THE CITY MANAGER PLAN WORKS IN HICKORY, NORTH CAROLINA[1]

Having so many requests for information relative to the commission manager form of government and how it is working here, I have gathered the information generally requested in concrete form, and herewithin present it with the hope that it will serve a useful purpose in enlightening the public on the commission manager form of government.

Hickory being one of the first cities in the country to adopt this form of government, it has had the most experience, and can give some valuable suggestions and ideas to anyone contemplating this form of government.

[1] By S. C. Cornwell, City Manager.

I have been an ardent advocate of the commission form of government for several years, and have made a special study of it and am convinced that it is the best and most practical way to administer the affairs of any city.

We have a Mayor and four aldermen composing the City Council. The Mayor and two aldermen are elected each year, the Mayor for one year and each alderman for two years, thereby keeping two old men on the board at all times.

The City Manager is employed by the Board and holds office at their pleasure. He is the administrative head of the municipal government and has charge over all departments.

From the auditor's statement it is apparent that there has been an actual saving of $4,394.52 the first year and $8,043.63 the second. In addition to this saving, the city expended nothing for permanent street improvement the last year under the old system, but under the new it spent $7,489.97 the first year and $7,817.63 the second year. In addition to all this, the city has given to the graded schools $1,500 more each year under the new form of government and has not increased the tax rate.

So you see this form of government has saved the city in actual cost $13,384.49 the first year and $17,361.26 the second year.

We find that under this form of government that collections are much better than under the old, due to the fact that everything is concentrated under one head.

This saving has not been accomplished by cutting salaries and buying second grade materials, but by increasing salaries, and buying the best grade of material. Men have been employed regardless of politics and paid for what they can do rather than for service to the party at election time.

This form is absolutely out of politics here, and must be in order to make it a success. As evidence of this fact, I do not know the politics of all the members of the City Council. The subject is never brought up.

Our charter here is a model one. Of course there are some defects, but taken as a whole, it is one of the best in the country, and our system of dividing the affairs of the city into several departments and keeping records of each department is an excellent one. A complete itemized statement of all receipts and disbursements in each department is published each month.

For the size (5,000 population) Hickory has a lower bonded indebtedness and more public improvements than any city I

know of. We have two and one-half miles of Tarvia Streets, seven miles of improved sand clay streets, and over eight miles of granolithic sidewalks. Our bonded indebtedness is only $146,000.

IOWA FALLS, IOWA

This is a letter received from Mr. Marriage in answer to a request of Mr. Waite in regard to his accomplishments in the last year.

Mr. H. M. Waite, City Manager,
Dayton, Ohio.

My Dear Sir:—

Probably one of our best showings has been made in our water works department.

A year ago today we were pumping on an average about 15 hours per day to supply our water patrons who at that time were not on water meters, and our quarterly revenue amounted to about $1,600.

Today we have metered practically all of our consumers, and are pumping only according to daily reports filed with me by our engineers, 7½ hours per day, and our quarterly revenue for the past two quarters has been over $1,800 each quarter. Which shows that we have made a big saving at our pumping station on fuel, water, and labor, and are getting $200 more revenue per quarter for half as much pumping as a year ago.

By a careful investigation and elimination of useless funds and levies, and after making a budget of our expenses for next year, we have cut our city tax levies 9½ mills this year, and this will give us plenty of funds to carry on our work. The levy last year and prior was 43½ mills, this year 34 mills.

Since a year ago, when this plan went into effect we have drained, graded and gravelled all of our roads leading into the city, as far out as the city limits, and where it was almost impossible to haul a load a year ago, we have fine gravelled pikes today. This is a great item in an agricultural country like ours where the farmers haul their products to town, and they have appreciated our efforts really more than our town people, except the autoists.

We have put in the past year, about 13 blocks of asphaltic concrete pavement in our residence districts and will put in the coming year about 63 blocks more of it. We had in about 40 blocks before the management plan went into operation, but it was scarcely visible because they seldom cleaned it, and it became coated with about 3 inches or more of dirt and mud. However, we have a regular sweeping time with a dustless sweeper and our streets are kept as clean as any. Under this plan by efficient management we greatly reduced our incidental expenses on our paving work over the incidental expenses of the paving work put in under the old plan, and at that we employed an expert inspector from the Chicago Paving Laboratory, all the time our asphalt was being laid. For instance, without any efficient inspection the incidental expenses on the paving put in prior to our administration amounted to 10 cents per square yard of paving laid. Under our new plan our incidentals, including an expense of 2½c per square yard for expert inspection, totaled only 6½ cents per square yard. This incidental expense is for engineering, advertising, inspection and gratings for catch basins, specifications and all printing.

In the past year we have put in an extensive sewer system which was practically all rock digging, with automatic flush tanks, and the people who have lived here for some time and watched the improvements constructed say that it is the finest piece of work ever laid in this city.

I am sorry to state that we have some sewers that were laid a few years ago, that absolutely are N. G. Rotten construction work and no proper inspection are the causes of this condition. Some of the sewers actually flow backwards. That sort of construction does not go any longer here.

Under our ordinance the property owners have to buy their water meters from us, as we will not sell water except through a meter, and we consider the meter a fixture in the house, or part of the interior plumbing system.

We bought and are buying an $8 meter with connections, reducers, seals, sealing wires and sealers, for $6 in a contract to purchase 400 or more of these meters. We sell this meter and all connections, etc., to the consumers here for the same price we paid for it. This naturally pleases our consumers, as under the old form of government, they only had on about 40 meters, which cost the city $8.60 and they made the consumer

pay $10 for it. Our idea is to give our people the advantage of anything that we can buy in this line, of the lowest price or actual cost.

RESULTS ACCOMPLISHED IN JACKSON, MICHIGAN[1]

Our accomplishments as I see them are about as follows: We have taken city employees out of politics, installed modern accounting systems, passed an annual budget on a classified basis, installed careful cost accounting on city construction work, separated the sinking fund, which was then in the general fund, and put it to work, started a waste water survey that will save about 400,000 gallons per day, started a centralization of the water department, bought coal on B. T. U. and ash basis, have done all purchasing through a purchasing agent, taken all cash discounts, put back over $300,000 on tax duplicate formerly exempted without legal reason, started a careful study of the sewer system, giving the city its first decent repair of unpaved streets, installed a modern boulevard lighting system with peculiarly advantageous contract, installed patrol system of repair on improved gravel streets, given food and milk inspection, centralized nursing organizations, organized charities, poor relief, humane officer and city health work under one head in the city offices, given efficient sanitary inspection, are making a census of privies, have made City Hospital and Training School a model so far as its building will allow, equipped and opened a tuberculosis hospital, equipped and opened two branch libraries, started work on a new 520 acre park, are adding to the fire department two pieces of motor apparatus a year, are completing a building code, are giving efficient electrical inspection, are inspecting weights and measures, have given band concerts in parks each Sunday through the summer, had a municipal 4th of July celebration at municipal expense with no accident or fire alarm for that day, and started a simplification of existing ordinances, bringing them up to date at the same time. We found a great many unclassified ordinances. We are getting everything on one subject in

[1] By Gaylord C. Cummin, City Manager. Speech before the City Manager's Association in convention in Dayton, Ohio, November 15-17, 1915.

one division and we are cutting the ordinances down to about one-fourth size of the present volume.

We have reduced the outstanding debt $50,000 this year, will give $10,000 extra service not figured in the budget, will pay off floating indebtedness of $14,000 and will end the year with a balance of over $10,000. We are starting the next year by reducing our tax rate one mill.

JACKSON, MICHIGAN[1]

Finance

A modern system of accounting has been installed and is now in working order. This is a double entry system with controlling accounts and enables a close check of receipts and disbursements. This system was based on an audit and an appraisal of the city's property.

The appropriations for 1916 were made by a segregated budget, with a uniform classification of expenditures by kind, to enable intelligent comparison from year to year, and to enable the people to know how their money is to be spent. Public hearings were offered on this budget before its adoption, but unfortunately a total of only six citizens attended. I would emphasize the importance to the citizens of attendance at these hearings so that full and free discussion may be had of the appropriations for the ensuing year.

Taxes were levied on the basis of 8⅓ mills as against 9 mills the year before.

The assessing both for taxes and special assessments was centralized under a full time assessor, with a great increase in efficiency.

$383,000 worth of property exempt without legal reason was returned to the rolls.

Purchases of materials and supplies for all departments were made through a purchasing agent, resulting in great savings in many items, although the fullest results can not be obtained until a city storehouse is established, for which at present we have no space.

[1] Report of Gaylord C. Cummin, City Manager, to the City Commission in 1915.

Items of considerable importance were purchased on careful specifications with good results. A study on the subject of fire hose resulted in the purchase of hose at 52 cents per foot instead of from 80 cents to $1.10, with no decrease in quality.

All cash discounts were taken, these discounts amounting to enough to pay all the expenses of the purchasing, without counting the savings made in reduced prices, etc.

Not one dollar's worth of bonds were issued for any purpose during the year.

$25,000 of bonds were retired, the sinking fund balance increased by almost $11,000 and a floating debt of about $20,000 (due to practice of paying the last month's payrolls and some bills out of new appropriations) was wiped out, making a total reduction in the net debt of the city of about $56,000.

As the balance sheet shows, the city ended the year with a cash balance exclusive of sinking and trust funds of $9,690.53. No bonds were issued for any purpose and as $78,740.50 was paid for permanent assets out of current revenue, we feel that our financial condition is unusually good.

The sinking fund balance of $27,799.21 will be largely invested in future bonds of the city of Jackson, thus making this balance which cannot be used except for paying off the funded debt of the city, a source of revenue.

Interest to the amount of $2,542.83 was earned on city deposits during the year, these funds having been previously deposited without interest.

The city treasurer was put on a salary basis and the fees amounting to over $4,000 turned into the general fund.

Public Safety

A general reorganization both as to men and methods is being worked out in the police department with a view to increasing its efficiency.

A general plan for motorizing the fire department has been worked out and the first step will be taken in 1916 by the purchase of two 800-gallon motor pumpers.

The state law demanding every fourth day off for firemen was complied with, without adding any men or weakening the crews.

Public Relief

The city combined its relief work with that of the Organized Charities of the city under a trained social worker, so that there would be no duplication of work. All deserving persons received adequate relief, and undeserving persons were eliminated from receiving public aid. The work was very efficiently done and the thanks of the city are due the Organized Charities for their co-operation.

Streets and Sidewalks

The unpaved streets of the city were found in very poor condition, which was much aggravated by the heavy rains. Repair was not so much needed as construction. Attempts to hold the street surface where built of the native soil seemed waste of money, and so while efforts were made to keep streets in a passable condition by filling holes, etc., the main efforts were concentrated on the building of good gravel streets starting on main thoroughfares. Approximately four miles of these were built, but of course it will take several years to get all the main thoroughfares in decent condition as funds at our disposal will not allow any faster progress, but what was done this year will not have to be done over next year.

The proper maintenance of these new streets being absolutely necessary if adequate results are to be obtained, has received a good deal of study and a system has been evolved which will keep these streets in good shape at a minimum expense.

Sewers

The heavy rains of the summer exposed the total inadequacy of the present sewer system and after a short preliminary study had shown practically every sewer in the city to be under size, it was determined to make a careful study of the whole situation in order to plan relief in such a way that every possible cent of value in our present investment, that can be saved, will be saved, that the relief measures will be adequate, and that future extensions will fit in with the general system. If this had been done twenty years ago, we would have saved many thousands of dollars, and the amount to be spent now will be saved many times over in the future.

Studies will be made at the same time of the sewage disposal problem and measures taken to correct the grossly polluted con-

dition of Grand River, our present plant being both ineffective and inadequate.

These studies will be based on a thorough topographic survey, which while absolutely necessary for this work will be of great use both to the city and citizens for many other purposes.

Water

The city waterworks is in good financial shape as is shown by its earnings of $13,589.93 for 1915, and it is believed that a considerable reduction in rates can be made without injury and without preventing such additions to its physical equipment as are necessary to put it in efficient operating condition.

This has been a headless department in the past but after the first of the year it will be placed under the charge of a competent superintendent.

A pitometer survey is being made for detection of main leakage and this has developed the fact that the valves are in very bad condition, twenty-six being found closed, many of them for so long that they were rusted shut, and besides there was a large number found that were not in operating condition.

Plans are under way for the installation of much needed reinforcing mains to give adequate fire protection to all parts of the city, the work to be done in 1916. Plans also are complete for a reserve supply of water of half a million gallons to be used in taking care of the peak load.

Lighting

A modern system of boulevard lighting was installed on Main street in place of the suspended incandescent lights, the amount of candlepower on the street increased by 8,000 c. p., the lamps to burn all night instead of until 11:30 o'clock, and at a saving of $720 per year for lighting the same territory.

The above are the high spots of accomplishments in the past year.

The dividends of a municipal corporation are public service.

The city government is now in process of rebuilding, and we should look for increasing dividends in the future.

More than a dollar's worth of public service for a dollar of taxes is the goal.

FIRST YEAR UNDER PLAN C GOVERNMENT IN NEWBURGH, N. Y.[1]

Report on the first year of commission-manager government in Newburgh, submitted to the City Council on Monday by City Manager Henry Wilson, is a record of progress and achievement, of improvement and betterment, of economy and efficiency such as must be a source of satisfaction and pride to every public-spirited taxpayer and citizen. The report with its facts and figures proves beyond all question that the most advanced form of municipal government is a success in Newburgh. Plan C is all that and more than was claimed for and expected of it.

Long before the first year was up the City Manager was able to announce that the day of a high tax rate is past. Today he reports the beginning of the year with a large cash balance, which will greatly reduce if not obviate borrowing for current needs pending the collection of taxes. The city instead of paying interest to the banks for borrowed funds is receiving interest from the banks on its own funds. But for a number of unusual requirements, as set forth in the Manager's report, there would be a reduction in the total of the budget for the ensuing year. Projects are being taken care of in the budget which formerly it was the practice to issue bonds for. Thus the municipality with a reduced tax rate, compared with former years, is curtailing the issuance of bonds and it also is making most substantial progress in retiring bonds issued years ago, effecting a double interest saving and permanent reduction in burdens.

Newburgh has a much smaller bonded indebtedness than either Poughkeepsie or Kingston and its policy is to steadily reduce its debt. It is building up sinking funds which will take care of bonds as they fall due and will endeavor to avoid a refunding of any obligations, this plan being wasteful and imposing on taxpayers a large interest charge.

The gratifying financial showing under plan C is not the result of curtailment of any necessary expenditures. The past year has been notable for the improvements made and the extension and betterment of service effected. Economy has come from the application of strict business methods in every department of the government. The municipality is being conducted

[1] Reprinted from *The Newburgh Daily News*, January 9, 1917.

much as a successful large business corporation is conducted, with responsibility centralized, capable, ready and resourceful and actuated by only one consideration, the best interests of the city and its people.

Splendid as are the first year's results, they are only the beginning of what may be looked forward to as one of the best governments if not the best government of any municipality in the country. As methods are perfected and new problems are taken up and solved, Newburgh's government will advance to higher standards of efficiency and economy. Newburgh will be in the front rank in improvements; it will be famed for its public advantages, finely paved and shaded streets and beautiful parks; and it will be noted for its comparatively low bonded indebtedness and tax rate. It will grow rapidly in industry and population.

The City Manager's report should be read in full by every citizen. No more interesting and illuminating municipal document has ever been presented in this city.

NEWBURGH, NEW YORK[1]

Outstanding Features of the Report of City Manager Wilson

Tax rate for this year $2.69, is the lowest in years.

Balance in city treasury at present, $110,952.70 probably the highest sum in city's history.

Balance in Sinking Fund, in addition to foregoing, $65,963.96.

Probability that it will not be necessary to borrow money in anticipation, with resultant saving of $2,500 in interest.

City bonds paid last year $68,744.34.

Placed in sinking fund $29,676.43, to provide for payment of future bonds.

Total reduction in city's debt during the year, $98,420.77.

Balance in water department at close of year, $19,303.57.

Cost of tarvia on streets 5½ cents a lineal foot, much less than the cost of sprinkling.

Unusual expenses for year, which could not be anticipated, but which were paid from current funds $26,111.

Presenting the report of his stewardship after one year under Plan C form of government yesterday afternoon Dr. Henry

[1] From *The Newburgh Daily News*, January 9, 1917.

Wilson, the city manager, read a document which was heard with more interest than has ever been accorded the annual report of a Newburgh official; and it is only mildly stating the fact, that when Dr. Wilson had completed his exposition of the city's status, had told of the results and economies effected, and had outlined the condition of affairs and the accomplishments of the year, he had a surprised and, on the whole, a most delighted audience.

The most casual student of local affairs could not have failed to recognize an increased efficiency in the city government in the ordinary conduct of business; but no one, aside from the members of the City Council, was quite prepared to hear what the City Manager had to say. The most friendly and hopeful critic of the administration had not expected results so great; the indifferent were raised from their indifference, and the captious and unfriendly critics were absolutely silenced. If there were any present who went to scoff, they remained to praise.

Excerpts from the City Manager's First Annual Report

To the Honorable Council of the City of Newburgh.

This being the first annual report rendered under the new form of municipal government, more than usual interest will necessarily be attracted to it. Changing from one form of government to another naturally requires time before the new is in full effect; but the experience of the past year has demonstrated that the commission-manager plan is ideal for the administration of the city's affairs, and the year 1917 will find the new modus operandi in full operation, and the results are bound to prove satisfactory.

CITY FINANCES

The new system of accounting, based on an audit by expert accountants and an appraisal of the city's property, enables a close check on receipts and disbursements, and a true estimate of the financial status of the city. The appropriation for 1916 was made with a uniform classification of expenditures to permit intelligent comparison from year to year, and enable the people to know how their money was spent.

The administration takes a pardonable pride in the fact that the financial statement shows the largest amount in cash, or its equivalent, on hand at the end of any year in the history of the

city, amounting to $110,952.70, exclusive of the $65,963.96 in the sinking fund, but including the Water Department balance.

TAX RATE LOWEST IN YEARS

This cash balance has permitted of a substantial reduction in the amount of the 1917 budget, and brings the tax rate for the year down to $2.69 per $100. Starting the year with this amount of funds available may make it unnecessary to borrow money, as usual heretofore, thereby saving the city about $2,500 interest.

CITY BOND ACCOUNT

City bonds to the amount of $68,744.34 were paid during the year, and the sum of $29,676.43 was placed in the sinking fund, making a total reduction in the city's indebtedness of $98,420.77 during 1916.

* * * * *

DEPARTMENT OF WATER SUPPLY

The revenues of the Water Department for the year amounted to $64,557.87. There were water bonds to the amount of $13,250 redeemed during the year, and the sum of $17,621.50 paid out for interest on water bonds.

By a careful and economical administration of this department, we have accumulated a balance of $19,303.87.

* * * * *

BEAUTIFICATION AND MAINTENANCE OF STREETS

Special attention is being given to the improvement of the appearance of our city streets by tree planting, and a number of Norway maples have been set out this fall. This work will be continued in the spring, and all who desire trees in front of their properties along city streets, will be accommodated free of cost. This plan of tree planting is sure to result in enhancing the beauty of our streets and add to the attractiveness of our city.

There has been considerable effective work done on our city streets, including the permanent improvement of Mill Street and the resurfacing of Gidney Avenue and several other outlying thoroughfares hitherto neglected. Several new sewers

were built during the year and a number of needed silt basins installed.

* * * * *

The proper maintenance of the dirt and macadam streets is absolutely necessary. The system evolved of treating them with oil and tarvia has resulted in producing a surface on our streets that has caused favorable comments from all who visit us. This class of improvement is effected at a minimum expense to those who are benefitted, costing about 5½ cents per running foot to each property owner on the street so treated—less than it would cost for sprinkling.

IMPROVED STREET ILLUMINATION

The installation of the modern incandescent street lamps for the old style arc lamps, by the Central Hudson Gas & Electric Company, has made a great improvement over the former system of street illuminating. The result is a much more brilliant light, which adds very materially to the appearance of our city streets at night time. This work, which involves an expenditure of many thousands of dollars, is being done without cost to the city or any increase in the rates paid for the old service.

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HEALTH DEPARTMENT

The efficiency of our Health Department has given us an enviable reputation throughout the state.

During the year the poliomyelitis epidemic taxed its service to the limit. While Newburgh was considered a danger zone, owing to its being a great excursion center, the efforts of our Health Department resulted in safeguarding our people against this dreaded scourge to the extent that only 11 cases, 6 of which were extremely mild in form, appeared in our city, while the surrounding towns and villages were badly afflicted. The work done by our Health Department was of a character to elicit special commendation and praise from the State Health Department in Albany, and reflects credit which should not be lightly forgotten by our people. It is complete in its several branches and is equipped with a first class bacteriological department.

* * * * *

The dividends of a municipal corporation are realized in effective public service. More than a dollar's worth of public service for each dollar of the taxes is the goal.

In conclusion I wish to express to the gentlemen of the Council my sincere thanks for their hearty co-operation and assistance, without which results would be impossible, and extend to them sincere congratulations on having achieved a success in the first year of the commission-manager form of government unequalled by any other city in the United States administered under that plan.

From every section of the country come reports of success under city managership, but it remained for Newburgh to achieve results, as shown by our financial statement, that outclass all other cities to a degree that does not even admit of comparison, our cash surplus exceeding the total yearly expenditures of many.

HENRY WILSON,
City Manager.

NORWOOD, MASSACHUSETTS[1]

Norwood is a town of between eleven and twelve thousand population about twelve miles out of Boston. We work under the old town meeting New England charter. I have worked in a good many cities and I thought the scheme was rather clumsy at first but it is very good. Our biggest saving has been in combining departments, for instance, fire, water and highway departments, taking them away from three separate superintendents and putting them under one superintendent of public works, and we have combined our fire alarm telegraph and electrical departments. The same with the public improvement and street departments. We do all work ourselves in paving, improvements and sewer. We have found a great saving in crushed stone. We have crushed about 12,000 tons this year which formerly cost $1.26 a ton but now costs us 68 cents a ton including overhead and supervision, so on the 12,000 tons we have saved some $7,000. In our electric light department we have put in a new reading arrangement and the water and light meters are

[1] By C. A. Bingham, Town Manager. Speech before the City Managers' Association, November 15-17, 1917.

read at the same time by the same man instead of making two separate trips. In our police department we have installed street phones and call lights and motorcycles in the outside districts. We save a good deal of money in purchasing.

To show you the pulse of our citizens, we had a town meeting to vote on $100,000 worth of granite paving, and underground electric wiring. There were two hundred attended the meeting. We had but three votes against the proposition out of the two hundred. We have started a form of sewage disposal plant.

ROCK HILL, SOUTH CAROLINA[1]

I am not so well prepared to state all the things that I have done in nine months. Rock Hill is by mileage 604 miles from Dayton. I don't know how far from New York, but it is west of the Atlantic Ocean. It is a very progressive town. I can't say that I have made such a howling success in the way of changes as some of the other men seem to think that they have. Rock Hill is a unique town. In 1893 the city voted a bond issue of $60,000 to locate a certain college there, which was a good investment at that time to the city. It has rather made the town an educational center. Dr. J. G. Johnson of that institution was recently elected president of the National Educational Association at San Francisco. The institution has had a great influence, I think, on city government in keeping up a high standard.

When I went there on February 1st, I found that they had matters in pretty fine shape. They had installed at that time a cabinet costing about two thousand dollars, with maps of the different wards, locating all of the property in the city. There was a cross-index system of cards showing the names and numbers to each lot, the assessed valuation of the different properties for taxation. The city manager form down there has done some things, and I believe that the people appreciate them. One is the consolidation of the entire city forces. There have been savings in other lines. I know as I was originally the superintendent of public utilities there before accepting the position as manager and probably comparisons would cast some reflections upon me, as I occupied the position there for three years previous.

[1] By W. G. Barnwell, City Manager. Speech before the City Managers' Association, November 15-17, 1915.

We buy our electricity from the Southern Public Service Company at one cent and a half per kilowatt hour delivered on the switchboard at the distributing end. We don't buy very much coal. I used to hire teams from stables to unload coal, carry pipe around the city for extension of water mains and also for hauling the poles for replacements and extensions in the electric light plant.

Now as to some of the things we have accomplished in the nine months: we have put in 2,200 feet of drain sewer in a part of town where there has been a muck hole. We have drained a section comprising fifty acres which will be valuable property close in the city. We have also built a road that had been under discussion for four years connecting some of the cotton mills with the city, at a cost of $2,500. We have also built more streets, without bond issues. Last year they put down about a mile and a half of asphalt and concluded they wouldn't ask for a bond issue this year. The twelve teams, owned by the city, instead of dragging the streets after each rain to smooth it, have been used in the building of permanent streets or as near permanent streets as possible. We have put down about two miles of distintegrated granite, nine inches thick. I think it will answer the purpose very well until the permanent pavement comes up.

We have also secured a new United States court house. We have an additional electric service department which wasn't there before. There was absolutely no opposition to the city manager proposition. Rock Hill stands for progress and if the town progresses as well in the future as in the past, the people will be satisfied with the government.

ST. AUGUSTINE, FLORIDA[1]

You all know that St. Augustine is located on the east coast of Florida and is the oldest city in the United States. I know it is old because very shortly after Ponce de Leon started the town they commenced laying storm sewers and they have not cleaned any of them yet. The population of St. Augustine, permanent resident population, is about 8,000, the winter popula-

[1] By W. L. Miller, City Manager. Speech before the City Managers' Association, November 15-17, 1915.

tion is about 16,000 to 18,000. The crop is principally tourist. The budget last year was $100,000.

We have been operating at a cost of about $5,400 a month, or $3,000 a month saving, and still giving all the service heretofore rendered and some additional service, including about the same proportion of permanent improvements that have been put in from month to month in the past. A centralized purchasing office has been established showing a saving of from five to eighty per cent in materials and supplies purchased. Unit cost records have been installed in some departments and are being installed throughout all departments. One of the first things we did in order to show the whole force that we meant business and would give everybody a fair show and expected them to come up to our standard, we fired the fire chief, and believe me, that was a howling success. The old administration left us practically bankrupt, and thought we would either have to quit business or call a general election to issue bonds or borrow money, but today we are still doing business and we have not borrowed money or issued any bonds. We did have to collect, however, $22,000. We had on the books which we have been able to stir up by an audit $22,000 of unpaid past due paving assessments, and last month we collected about $5,000 of that and they are still coming in. We ran into of course the usual petty opposition to the plan as soon as we started, the former mayor being the chief offender. Heretofore there has been a serious lack of engineering. Provided the city wanted an engineer for any particular local improvement, they went out of town and employed some engineering firm, the specifications were drawn by that firm, and the plans and any contractors bidding on the work were compelled to go to the other city and get the plans and specifications in order to bid. We know some work has been put in, we have some visible indications; we have no idea that there ever has been any engineering except we see the receipted bills on file in the office and endorsed check that the city has paid for that service. No plans or profiles or specifications or any data are in the city records of past construction work, and this is particularly true of the underground work. When we look up any underground work now we are compelled to start from one curb and dig across the street until we hit it. We have simply to investigate as we go along and it is being permanently arranged for the future by the employment of an engineer, also

out of town, who is starting his work by a topographic survey to be followed by a general storm water sewer survey and a sanitary sewer survey.

Heretofore they have had a health office, the president of the Board of Health had his own health officer, an honorary position, a city physician on part time with a small remuneration, and one appointed by the mayor and one by the council and of course each worked against the other. We have combined the two offices and started in on a health code. We are considering the employment of a visiting nurse and organizing under one head all the relief work and charitable work in the city so as to prevent not only duplication of effort on the part of those actively engaged in the work, but duplication of relief to any family. I found that the police reported at six o'clock in the evening to the chief and went out on their beats and didn't report until six o'clock the next morning. We now have the police reporting every fifty minutes. At first their eyes were kind of thick on account of loss of sleep, but they are getting accustomed to it. Fire inspection has been started, the city ordinances have been codified and as rapidly as we can, they are being revised to meet the conditions of the charter and the present needs of the city. Municipal music has been provided by city subsidies and a municipal band, white; and a municipal band, colored, has been organized. The white band gives concerts in the down town district, and the colored band in the colored settlement once a week, and they are both developing very well. In addition to that, the white band contributes its service once a month to a municipal dance which is held on one of the principal streets down town. The programs for these dances are varied each month. For instance, on Hallowe'en we had a big masquerade ball on the street. The concerts each week bring out an interest on the part of the public. We have provided in the budget for street gardens and back yard gardens, following the Dayton plan. We have provided a playground and turned it over to the youngsters, but on account of the lateness of the season and the condition of the treasury, we have had to postpone some things in that line until next year, although it is on our program for 1916, to push our playground activities.

We have employed a special water works engineer to come to St. Augustine and make a complete survey and give us a comprehensive survey of the needs for providing an adequate water

supply and distribution system, neither the supply nor distribution system being full and adequate, not only for domestic service, but for fire protection.

We have increased the tax duplicate over last year, say two million dollars. The levy was thirty mills, the charter providing that the levy was not to exceed 7½ mills exclusive of the sinking fund and maintenance, which necessitated of course in figuring in first, the ordinary operation fund, and second, the permanent improvement fund, which comes in under our charter as a fixed levy. The valuations have been equalized now and the duplicate brought up to eleven million dollars, and the levy of course will be increased in a corresponding degree.

THE SANDUSKY SITUATION[1]

The somewhat embarrassing situation that existed for about the first month that the commission-manager form of government was in force in Sandusky was not due to the provisions of the new charter, but altogether to the five persons constituting the city commission. For the most part at least the commissioners are men who have more than fair ability, who are honest and in good standing in the community. The prospect was, therefore, with the election of these gentlemen, that Sandusky had every assurance of an efficient and businesslike administration.

It developed, however, shortly after the new form of government became effective that the commission could not get together on organization and it appears largely for the reason that they were hopelessly divided on the election of their chairman, who under our charter becomes the mayor. For almost two weeks the commission failed to elect its president, and the dead-lock which existed during that time seemed to have caused dissension among the members of the commission to such a degree that for some time afterwards each member of the commission on general principles opposed everything that any other member might suggest, with the result that instead of administering the affairs of the city at its meetings these were occasions only of affording

[1] From a letter from a well-known member of the Sandusky bar printed in the National Municipal Review, April, 1916.

the members of the commission an opportunity to vent their personal feelings.

The commission did elect after considerable agitation a city manager, and doubtless made a wise selection in Kenneth Ward, as well as in the selection of the city solicitor and the present treasurer. The failure of the commission so far to produce satisfactory results is further due to the fact that its members are not yet fully acquainted with the spirit and letter of the charter. The past few weeks, however, have demonstrated that the commission is becoming acquainted with its duties and that its members are able to discuss city affairs dispassionately.

Probably the chief reason why the new form of government has not more creditably demonstrated itself is the same as would be attendant upon any radical change in either governmental or business affairs. A period of adjustment is always experienced under such changes. It is hoped that within the next few months the commission-manager form of government in Sandusky will come up to the fondest expectations of those who furthered the adoption of its new charter.

This view of the Sandusky situation is held by many of the people of the city.

THE CITY MANAGER PLAN IN SAN JOSE[1]

I have had a brief experience as City Manager of San Jose, and I am informed that I am to tell you tonight what I would have said had I read you a paper or talked to you at the regular session of the Convention at which I was scheduled to appear. It will of course seem personal on my part, but from the nature of the topic assigned it cannot well be otherwise. Will therefore without further apology give you a bit of the experience of a city manager in a city which, while it is no mean city, has been infested, I think, in the past, by some of the meanest politics that has been perpetrated in any portion of the state of California.

Now, I went down to become a city manager as an entirely innocent college professor—and the college professor is reputed

[1] By Thos. H. Reed, City Manager. Delivered at the Spanish Banquet given to the delegates Thursday evening, October 12th. Reprinted from *Pacific Municipalities*, vol. xxx, no. 11, November, 1916.

to be a peculiarly innocent type of man. I had drawn the charter of the City of San Jose, and had been interested in the problem of the city manager form of government theoretically, and when I had the opportunity offered me to try to work the theory out practically, I accepted. I was warned by my own brother, for example, that I had always been a theoretical man, and that therefore I should hesitate to tackle a practical job. And of course, lots of people said, "Oh, he's just a professor." All of which roused my pride, and made me want to do it all the more. And whether I win or lose, at any rate, I am going to make one good, hard try at it, and there will be some satisfaction in that—at least for me.

The city manager form of government, theoretically, means that the city council employs a manager who bears the same relation to the city council that the general manager of a corporation bears to its board of directors. He, in turn, appoints and is responsible for the other officers of the municipality. In San Jose, with the exception of the city auditor and police judge, who are elected by the people, and the city clerk, who is appointed by the council, and the civil service commission and city planning commission, each being a little aside from the ordinary cases of administration, the officers are all appointed by the manager, including the members of the board of education, and library trustees. The manager may remove any member of the city administration. That is, his power is absolute, so far as the administrative side of the matter is concerned. So long as he is in favor with the council, so long as they respect his judgment, he is in command, and he is responsible for what goes well or what goes ill in the institution.

Now, I did not know whether the plan would work or not, of course, no more than any one else. I thought it would. It seemed to be sensible. It seemed to be reasonable. It was the form of organization which we had found most successful in private corporations and school districts and in the government of many of our state institutions, where the governing board employs some one to carry out its functions. And so far, if three months is in any wise a fair test, it has worked well. Nobody has got up a lynching party yet. There have been no very determined protests or serious denunciations. Everything has been sweet and pleasant.

We have not accomplished wonders yet. I think that every man who undertakes a task of this kind, indeed, every man who goes into any municipal office, feels that the first thing that he wants to impress upon the public is that they must wait a reasonable time for results. The public has a peculiar habit of expecting that a reform administration, when it comes into office, is going to succeed in a few weeks in revolutionizing the course of years and years of municipal development. That can not be done. It is a slow job to reverse the wheels and make them revolve in the opposite direction, smoothly and without friction. We have proceeded slowly in San Jose. We did abolish the office of City Treasurer as a paid office, and deposited the funds of the city in one of the banks at 2.52 per cent interest on average daily balances. The bank was tickled to death to take the money at that rate, not so much because they wanted the money, but because they wanted the advertisement of having their cashier designated as City Treasurer. We saved the city of San Jose about $5,000 a year by that transaction.

We have installed a modern system of purchasing, buying on scientific principles. We have already made reforms which will result in a saving of approximately a thousand dollars a month merely on supplies that are bought for the city of San Jose.

We have reformed some of our departments, for example, the Health Department, in which formerly we had a Health Officer, a doctor who gave such of his time as he could for a salary of $100 a month. A busy practicing physician of a successful sort is not able to give very much of his time for that compensation. Under those circumstances you can well realize that our health department was inadequate for the needs of a city of 40,000 population. We have now a thoroughly organized public health department, with a fulltime deputy health officer, occupying all of his time in the work of the city, and we are putting that department on a basis where it will be able to stand at the front of all the health departments in the state of California.

We wanted to get a man for the health department, to take charge of the work, and a lot of our people said. "You must take him from San Jose." We said, "No. We will give an examination, an open, competitive examination, for the position of assistant health officer, and we will fill that place with the best man that comes forward to take the examination, irrespective

of where he comes from." And Mr. Gray, at that time health officer of Palo Alto, came forward and took the examination and passed it with 100 per cent, and we appointed him. We feel that we have a prize in Mr. Gray, who is not a physician but a civil and sanitary engineer trained at the University of California to be a health officer. We have a health department that is moving like a buzz saw now into the bad health conditions.

We have done a number of other little things. We have secured the services of the firm of Haskins & Sells to install a modern accounting system. When I went down to San Jose, I discovered that it was almost impossible to find out how much the various services in the various departments had cost. No comparative data of an administrative sort, such as are laid upon the desk of the manager of a private corporation for his enlightenment in handling the affairs of his corporation, were to be had. We are going to have just that sort of thing. We are going to have the best and most up-to-date form of accounting that can be secured, and it will be a form of accounting much more similar to that made use of in first-rate private corporations than the usual traditional forms of municipal accounting.

And then there are a lot of other little things that we have done—all kinds of things. A city manager is expected to do almost anything, apparently, from reconciling the marital difficulties of certain people in the population to straightening out the difficulties of saloon keepers. It all comes into the city manager's office, and as time goes on, there is more of it coming in. We have notified everybody in the city of San Jose to enter their complaints with the manager. We published that he could be reached at San Jose 88, and San Jose 88 wires are hot all day with this, that, and the other thing. We find out quite a lot by it. In the first place, we find out what we should do to satisfy the public, and in the second place, we find out something of what our various officials are doing in their official capacities. We get the outside opinion. There is one kind of a complaint, however, that we pay no attention to—I suppose you have all had acquaintance with it—and that is the anonymous complaint. It is a typical piece of American cowardice. People will come around and say, "Here is a gambling joint running down here in defiance of law." "Here is a nuisance that damages the neighborhood." "All right. Come forward with the evidence, and we will shut up the gambling place; we will abate this nuis-

ance." "Oh, no," they say, "Don't use my name. I am very glad to give you the information, but keep me out of it." It is a cowardly performance. The American people have the idea that public officials can vicariously atone for all the sins of the community. When they elect a man to public office, they feel that they have done all that is expected of them, and that these officers are going to solve the problem, alone, and unaided. It cannot be done.

We have learned some things about the city manager form of government. We have learned something about what its merits are. It has two merits. One is that it demands the careful and intelligent selection of the various officers to fill the various positions. A manager must make good—that is all there is to it. It does not do him any good to play politics because he can not make good by playing politics. He must make good in his work. In order to make good in his work, he must select the right kind of men for subordinate positions. It means, in other words, that under the manager plan you get the right personnel in your city government.

Then there is another thing. It means that you have a single head, there is no place in this world for a two-headed man or a five-headed man, outside of a side show. They are interesting as objects of study, and as matter of scientific observation, just like a five-legged calf, but for the purposes of administration, they are bad. When you have a single head, you have the condition under which you can enforce responsibility, and responsibility is the most sobering and correcting influence in government.

Most of the evil in municipal government is the evil that is done by slovenly or careless, only infrequently by corrupt people, who are guilty of their particular pieces of carelessness and slovenliness in the dark—in the obscurity of divided responsibility.

I have learned one thing about drawing charters. I would not draw a charter again in which the manager was made the ceremonial head of the city as well as the going executive head. As a matter of fact, I was not responsible for that provision in our charter. Colonel McClure, who happened to be visiting San Jose, got that inserted in the charter in the hands of the Board of Freeholders. I think it is a mistake. The manager ought not to be obliged to welcome every thing and shake everybody's

hand, and dedicate this and open that, and all that kind of thing. He has enough to do without having to be delivering himself of platitudes on all possible occasions.

We haven't done a great deal yet, naturally. We have just started to do things. We are correcting slowly. A lot of people question why we have not done more than we have, why we haven't changed more heads of departments and revolutionized more offices. We are proceeding slowly. We do not want to disarrange the whole mechanism of the city government. We make changes only when we know they are going to work improvement. It is going to take us some time to work it out. You will be interested in watching the results. And they are going to be the best results that the hard and diligent service of myself and the men with me can give.

Somebody asked me the other day here if I was giving my whole time to the city of San Jose—if I was not running up to the University and giving some lectures, and so on. I told that man I was giving the whole of my time from eight o'clock in the morning until one o'clock the next morning, pretty steadily, to the affairs of the city of San Jose. That is the sort of thing that my assistants, my colleagues in the work are doing at the same time. In a few cases, where we have brought in a man from the outside to take a position in the government, people have said we were giving favors to outsiders. Now, I do not consider a job in the city government of San Jose a favor. If anybody thinks working 15 or 18 hours a day, is a sinecure, he is welcome to the impression, but it is a false one. The work of our city employes is hard work. Our positions are responsible and difficult. And we are getting together a mechanism of government that is going to move harmoniously and effectively for the interests of the public.

Now, we may not succeed. We may run into some great popular snag or other. We may be checked over night by some problem that may arise from the infinite vagaries of the public mind. Such things are beyond the ken of man to prophesy. But, given a fair chance, we are going to work it out.

SHERMAN, TEXAS[1]

Sherman is in Northeast Texas just over the boundary from Oklahoma. It has about 16,000 people, is in an agricultural section and raises principally cotton. It has a number of schools, considered very good in Texas, and has a few industries, principally cotton oil refineries and flour mills. I have been manager there less than six months. The principal things that we have done I will try to outline. A thorough audit was made of all the books and an accounting system was installed. Perhaps, as is usual in most cities, it was found the books were in very poor shape. In the water works a shortage was found of several thousand dollars; an attempt is being made to recover this. Four or five thousand dollars delinquent rents in the water department are now being collected. A cut-off rule is being rigidly enforced. There has been a purchase order system installed which while I have made no comparisons I am sure is resulting in economy in purchasing. We are also taking advantage of discounts. We found practically nothing in the way of engineering records. There were no maps of the sewer systems or I won't say there were none, but there was no complete or comprehensive map of the sewer system or water system or street system or any plant. We are working these out and have several of them completed. In order partly to get the support of the citizenship and partly for the real benefit and information to be derived, we have taken advantage of the feature of the charter which provides for the appointment of advisory commissions to some extent. We have appointed a city planning commission for the usual purpose of working out a plan for future improvements. We have appointed a charity commission which has some definite idea in view, not to conflict at present with the Associated Charities although it may possibly take that over after a little time. We have appropriated one hundred dollars and will appropriate more to pay water bills for those who are really poor. We are going to insist on water bills being paid. Heretofore there have been a great many people very lax about their bills under the excuse of charity.

We are looking into the matter of establishing a day nursery

[1] By Karl Mitchell, City Manager. Speech before the City Managers' Association, November 15-17, 1915.

and also a work yard. We have also appointed a health commission of physicians of the city and we have arranged for the appointment of a civic music commission. In the fire department we have instituted fire inspection and are making regular inspections both of the premises for hazardous conditions and also for violation of the fire ordinances and to familiarize the firemen also with the buildings in case of fire. In the water department we have initiated an inspection of every service in the city and a test of every meter in the city. In this way we hope not only to find the inaccurate and slow meters but to locate leakage not only for our own benefit but for the consumers. We have also discontinued making allowances on account of leakage, making the claim that water is a commodity and there is no more reason for making an allowance for water delivered to the person than anything else although heretofore they had been accustomed to making allowances for that purpose. We are drawing an ordinance which is considerably more rigid than our present ordinance requiring or which will provide for concrete meter boxes and cut-offs and will possibly also make a slight reduction in rate and probably provide for a discount period which we do not now have in our ordinance for payment. We are also proceeding to complete the metering of the town. It is probably about ninety per cent metered and we expect our new ordinance to provide that all churches and schools and all users shall pay for water although at a reduced rate. These are now getting it free. We have two water plants. The steam plant is idle a good part of the day although we maintain a full corps there and maintain steam under the boilers. We are working at plans to consolidate our two plants and will get better efficiency in pumping. I fully expect to save from ten to twenty thousand dollars a year in the operation of our water plant.

There is a feature in our Texas law which some of you may not have to contend with, our homestead act, which makes it very difficult to get any public improvements in the way of streets and sidewalks. We can't compel a man who has a homestead to put down any improvement whatsoever, no matter where it may be located. He may not have the money and in order to eliminate that feature, in so far as it is truthful, we have organized a Municipal Improvement Association and capitalized it to start with ten thousand dollars for the loan of money for this particular purpose on reasonable terms to be paid back in install-

ments. I found when I went there considerable work on sewers under way which had been started some months previous during the rainy season. The sewer would have to be pumped out and it cost several times what it ought to construct a sewer. I have no comparative cost figures but we cleaned seven thousand feet with a very much smaller gang than they were working before and much more rapidly. We found several sections of sewer on top of the ground that couldn't be used. One or two cases were found where they were trying to run the sewer up hill. Considerable expense was incurred in making those changes. We are working out a plan for the extension of the sewer system so that we will have something to work to and avoid errors. We are now working out plans for the installation of a sewerage disposal treatment plant. We also have under contemplation, the construction of a certain amount of storm sewer. They started to put in pavement in this town without any storm sewer, thinking they could carry the water off on the pavement, and inasmuch as the town is hilly, there is some reason for that, but at the same time they need some storm sewers which have not been provided.

We have installed a dry closet collection system for privies, which is unique, I think, and one of the most modern of its kind. We are completing a mile of pavement which was contracted for before we went there and for which they had no plans or specifications. We are negotiating with the light company for a reduction in rate and are also considering the advisability of installing a commercial lighting and power plant. They are now charging a 14 cent rate, less ten per cent. We figure that we can pretty near cut that in half. We have just passed a pure food ordinance and an inspector has been appointed and work will be started immediately. I discontinued a considerable number of positions, and the net results so far, the first few months of operation shows that our total expense for current operation is slightly less than last year, although it includes considerable new equipment. We have also installed the auditing system, rearranged all the offices, and provided new offices.

SPRINGFIELD, OHIO[1]

Springfield is the best 60,000 city in America, and is located close to Dayton, both physically and in our feelings. A floating debt was reduced from approximately $120,000 to $40,000 in the first year. The last of this indebtedness will be paid February 20th, 1916. The tax rate in 1914 was $1.50 per $100, in 1915 $1.40 and in 1916 it will be $1.31. The net saving in operating expense was $51,600 or 17 per cent. Bonds are only issued to mature during the life of the improvement. We have paid off this year the first $5,000 worth of bonds issued for fire department equipment some years ago, which we have just changed this year. The revenue in the Water Department increased $10,799, by an additional outlay of $270 in operating expenses—this without increasing the water rates. A new pumping plant of 12½ million gallons capacity has been installed. In street cleaning $8,614 was saved in an outlay of $31,000 Fire hose was purchased at 53⅓ cents per foot which formerly cost from 90 cents to $1.15. Street lighting was changed to a more efficient lamp saving $5,545 on a $47,000 investment.

Twenty-one streets were paved, with asphalt or sheet asphalt or wood block and so on, increasing the area of paved streets in Springfield thirty-three and one-third per cent. Forty-six streets were resurfaced. Twenty-seven sewers were constructed. $10,022.21 was saved in Legal Advertising, the actual investment being only $548.58; in other words, we only expended $548.58, which was $10,022.21 less than the year before.

A cluster lighting system in the business district is being installed, the conduits are all in and we will have the entire district illuminated with cluster lights in the course of a couple of months. We have inaugurated a system for examining all underground structures before paving streets. No streets are paved until every lot has water, sewer and gas connection and where it is a repaving job, everything is inspected and examined before the street is repaved, and then we do not allow a street to be cut into for five years for any purpose. The whole business district has been repaved with wood block. A water belt line of fifteen

[1] By C. E. Ashburner, City Manager. Speech delivered at the second annual convention of the City Manager's Association, Dayton, Ohio, November 15-17, 1915

miles was constructed around the city which secures water pressure on all streets from the center out and from the outside in. The equipment is ordered to entirely motorize the fire department and after sixty days from now we won't have a horse in the department. The street cleaning department has been motorized. The city prisoners have been put to work in the parks instead of remaining in jail. An accounting system has been installed and a budget, a centralized purchasing bureau and accounting department and a department of dairy and food inspection. We are also loaning the surplus in the water department to ourselves at three per cent, instead of borrowing from the banks, and a building code is about ready for adoption.

NEGATIVE DISCUSSION

THE COMING OF THE CITY MANAGER PLAN[1]

Greater unity in city government, which is coming to be demanded in some commission governed cities, can best be secured by giving the mayor more power than the other commissioners, thus placing him in the position to properly coordinate the activities of all departments and to compel, if necessary, unity of action. This is in line with previous recommendations of the National Municipal League, which has favored a strong mayor. It is doubtful whether the idea should be carried as far as it is applied in Houston, Texas, but it may be desirable to experiment in this direction. The mayor would, in this case, become the managing and directing force of the city.

The city manager plan departs in several respects from commission government lines, and it is doubtful whether it should be classed as a mere variation of commission government rather than a brand new plan. It contemplates, we are told, the election of a commission unpaid, or receiving only nominal salaries. Most commissioners are paid, under the commission form, some well paid; many devote their entire time to city affairs.

The city manager plan permits election by wards. Every commission governed city so far has abandoned ward elections.

The city manager plan should be tried and the results secured under its operation impartially examined; but it should not be classed under the head of the commission form until it is very clear that it substantially agrees with the important features of that form. The same credentials should be required of this new plan as were held necessary in the case of the commission form, i.e., evidence that under it municipal conditions are better than they were under the aldermanic form; and in addition, the evidence should be clear that the city manager plan is superior to the commission form, before the latter, now tested for ten years and more, is relinquished for a new and untried type of government.

[1] By Ernest S. Bradford. Minority report of the National Municipal League's committee on commission form of government.

SOME CAUTIONS ABOUT THE CITY MANAGER PLAN[1]

It seems to me this entire question of the preference of one system over the other is a question of the adaptability of the particular form to the habits, to the prejudices and to the political status of the different cities to which they are to be applied. I take it that in the end the municipal manager system will be found the one best adapted to cities in a general way. But when it comes to applying it now to cities which have been accustomed to political methods, and are still subject to boss rule, I am inclined to believe it might be very injurious.

This is a kind of reform we should not hurry too much; we ought to await developments, and I am very glad that the city manager plan has been preceded by the commission form of government, and that over three hundred cities have already adopted that form. This will do a great work in eliminating the boss systems by which our municipalities in the United States have so largely been controlled. It will thereby lead public opinion to regard city governments more and more as largely business affairs and to be administered, if not entirely upon business principles, at least upon principles of common decency and morality. After they have reached that state and after politics in its worst form has become eliminated, is the time for the city manager system to be applied.

For the present, however, if you apply that system, I can see what the result will often be, that it may not be an improvement of the commission plan, but will be even worse than the old plan by which we have been governed. I think I can see the man who has been our mayor for a great many years, although we now have got him out. I think we know exactly how Doc Zimmerman would act if the city manager plan were now put on in the City of Richmond. He would lay his plans for the place before the election—the place, not of mayor, but of city

[1] These are the stenographer's notes of the remarks of the Hon. William Dudley Foulke, president of the National Municipal League at the discussion of the above report at the Toronto meeting of the League.

manager, and he would have his slate of five commissioners who would go in and vote for him, and he would get men who were personally popular and knew how to pull the ropes. His skill as a politician is much better than that of the men who would oppose him. He would have his five men who would vote for him, and the issue before election would be, Are we to have Doc Zimmerman for manager or not?

It is far better to vote for a man directly instead of indirectly, as we have done in the election of United States senators and in the election of the president of the United States. When the Constitution was adopted it was considered that the best way to elect a president was not to have the whole body of people vote, but to have a selected body or college who would meet and find out by some means—by the inspiration of the spirit or something—who was the best man to become president of the United States; the people could not be trusted to do that work. It was the same way in electing senators—not to trust the whole body of the people, but to have the legislature think the thing over and choose the man they wanted. But the people of the United States have now determined by constitutional amendment that it is better for the people to choose by direct election than by this indirect method which confuses and obscures the issues and often degrades the electoral bodies and makes mere dummies out of the men who compose them. That would be the result in cities still subject to the political usages which now prevail in many parts of the country. Therefore, it would be a very bad thing for the National Municipal League to recommend the immediate adoption of a system like that to places that are not ready for it.

Let all cities that are ripe for business administration, all cities that have abolished political ideas in their city government —let them take the city manager plan. But for those which have not, which do not yet know how to get rid of the bosses, I think it would be a dangerous experiment.

Suppose instead of calling him the city manager, you call him the city boss; you can see how the plan would work out in a community habituated not to a manager, but to a boss. So let us go slow.

"How many things by season seasoned are
To their right praise and true perfection!"

There is a doubt as to whether the manager system has yet been tried far enough for us to express a definite opinion as to whether it is yet preferable everywhere to the other system, though I believe that this will ultimately be the case.

THE EVOLUTION OF TYPES OF CITY GOVERNMENT IN THE UNITED STATES[1]

In the entire evolution of municipal government in the United States there has been nothing so unprecedented as the rapid development within the last decade or so of our two most recent and somewhat related types of government, the so-called commission and city-manager types.

Both of these types of government in ultimate analysis represent an obvious return to something of our municipal beginnings—a return to the principle of concentrated power and responsibility for the entire government of the city in a single group. In respect to commission government this return is striking. However important to the success of this plan of government may be its usual accompanying features, I cannot regard them as vitally affecting the type of government. They are no more and no less essential to the success of commission government than they are to the success of any other type of organization in which responsibility for performance is fairly located. Stripped of these accessories, commission government is council government, the government of the colonial and post-Revolutionary city, with the single councilman as an administrator substituted for the administrative councilmanic committee, a government in which policy-determining and policy-executing functions are united in the same group.

In respect to the city-manager type, the return to our beginnings may not be so manifest at a glance; but I think it is none the less a reality. It is the council that is completely responsible for the character of the administration. It is true that the method of exercising this responsibility is somewhat new. The council is empowered to direct the manager or his subordinates only through the medium of ordinances. They can legislate but

[1] "The Commission and City Manager Types." By Prof. Howard L. McBain, Columbia University. In National Municipal Review. 6: 19-30. January, 1917.

they cannot actively participate in the administration. On the other hand, they can remove the manager at will. In other words they must exercise their control over actual administration by acting upon the manager *per se* and not upon his individual acts. It is easy enough to write this arrangement into law, but the actual operation of the letter and spirit of that law will of necessity depend upon the degree of co-operation that is maintained between the council and the manager. So far as the scheme itself is concerned, I can readily conceive of a manager who, by reason of his dependence upon the council for the retention of his position, would allow himself to become little more than a chief clerk for a council which actually dominated and controlled the entire administrative operations of the city. Such a result might be a violation of the spirit of the law; it would not be a violation of its letter. Even with a manager of ability and independence and a council imbued with a desire of realizing the spirit of this type of government, I can conceive of the development of a degree of councilmanic control over actual administration through the medium of warnings in advance of dismissal. The truth of the matter is that you cannot write into law, a precise division of function between two authorities where the tenure of one is absolutely at the mercy of the other. The authority in control of the tenure can always, if it chooses, control the discretion of its subordinate even within the written sphere of that subordinate.

I say this not in criticism of the city-manager plan of government. I consider it a type of government that has much to commend it. It has, indeed, so much of virtue in it that it seems to me unnecessary to ignore or gloss the facts about it. It does not of necessity involve a separation of policy-determining and policy-executing functions. It does not of necessity result in administration by experts. The degree of separation and the degree of expertness that result must be ascribed not to anything that inheres in the form of government but to the practice under that form as it has developed under the compelling force of enlightened public opinion.

I do not wish to seem captiously legalistic; but there is certainly a difference between that which is law and that which is public opinion. From the viewpoint of the law, there is little that is new in the city-manager type of government. It is a return to the system of councilmanic control. The only new feature is

that the council must exercise that control through the agency of a *single* chief-subordinate instead of acting directly upon a *number* of subordinates. Under the New York charter of 1830 a city-manager plan of government might easily have been installed. When the Dayton charter of 1913 vested in a "governing body" known as a commission the power to "pass ordinances" and to appoint and remove a "city manager who shall be the administrative head of the municipal government," there was no reason why a partisan or corrupt commission might not have dominated the entire administration through the choice of a manager wholly subservient to their designs.

It may be that neither the commission form nor the city-manager type of government is the last word in municipal organization in the United States. To my mind they are of less interest as types than as an expression of a manifest and compelling need, on the one hand, and the proof of a change of public mental attitude on the other. They express the need for simplicity in municipal organization. Democracy cannot function properly through a complicated organization which it cannot visualize and cannot comprehend. Pinning our faith to the catholicon of reorganization, we early began to emerge from simplicity in municipal organization. For more than half a century we reaped the reward that might have been expected from the complications we introduced. We are now in the era of a return to simplicity. It is a sign that is full of hope, whatever may be the specific type of government in which the movement finds expression.

I do not ignore the importance of governmental form in a democracy. But I am profoundly convinced that we have laid and are laying too great stress upon this matter of form. This or that type of government is of importance only to the extent that it lends itself to the smooth functioning of democratic control. We cannot assume that any organic form will give the people of a city a better government than they desire. The fundamental assumption of democracy is that the people actively and positively desire the best government possible. The machinery of government is of interest and importance only in the degree that it facilitates or obstructs the realization of this desire.

I am inclined to believe that had the commission or the city-manager type of government been established a generation or so ago it would have been a dismal failure. In an atmosphere of

public indifference, of inactivity, of lack of heart or of interest, it would have lent itself admirably to the machinations of professional politicians and spoilsmen. We should hesitate to give to the genius of a designer credit that is in fact due to a new motive force—in this case to an awakened, vitalized, and actively operating public opinion. Unstinted laudation of the virtues of these types of government may be justified as a means for keeping public opinion upon its mettle; but is the danger not real that it may also result in convincing a busy and not too exacting people here at last, after all the futile searching of the years, they have come upon their long-sought Eldorado—a super-government, a government so perfect in type that they can wind it up at periodical elections and, with supreme confidence in its ability to run itself, turn their attention to other things?

DEFECTS IN THE DAYTON CHARTER[1]

At the present time when the agitation in favor of the so-called city manager plan of city government is becoming so wide-spread as to attract nearly universal attention, it is well to distinguish between the merits of the plan *per se* and the features of any particular charter that may be cited as putting that plan into effect.

The charter most frequently cited in this connection within the last few months is that of the city of Dayton. Dayton being the largest city in this country that has so far put the plan into actual operation interest is naturally centered on that place, and copies of the Dayton charter are in great demand wherever any interest is shown in the new movement. It is especially desirable therefore that a general indorsement of the city manager plan be not misconstrued into an indorsement of all the features that are found in this charter, which has assumed more or less, through the recommendations of the Dayton bureau of municipal research, the rôle of a model charter for other municipalities desirous of following along the new lines.

It is quite unnecessary here to discuss the merits of the plan for expert city administration of which the city manager move-

[1] By Herman G. James, Director, Bureau of Municipal Research and Reference, University of Texas. In National Municipal Review. 2:95-7. January, 1914.

ment is properly considered as the chief exponent. On the advantages of expert city administration students are agreed, and it is also true that the city of Dayton has definitely declared itself in favor of the application of the principle, and to that extent deserves the admiration and congratulations of the supporters of efficient city government throughout the country.

But there are some features of the Dayton charter which seem to be undesirable and yet which, unfortunately, would be just as likely to be copied in other city charters as would the commendable ones.

Three of these defects deserve particular mention, one of them in fact being of a nature to destroy in a measure the very benefits which this new plan is meant to secure.

The first of these weaknesses is found at the very beginning of the charter where in section 1 an enumeration of the powers of the corporation is attempted. Now it is a well recognized fact that the practice of enumerating the corporate powers of cities has been the source of great inconvenience, in this country. No enumeration can ever be complete and so it is necessary to add, as has been done in section 2 of the Dayton charter, that "the enumeration of particular powers by this charter shall not be held or deemed to be exclusive, but, in addition to the powers enumerated herein, implied thereby or appropriate to the exercise thereof, the city shall have, and may exercise all other powers which under the constitution and laws of Ohio it would be competent for this charter specifically to enumerate." Even if such a blanket provision affected its purpose, namely, to confer upon the city all local powers so far as possible under the laws and constitution, we would at least have to conclude that the enumeration in section 1 is surplus verbiage. But that is not all, for courts have repeatedly taken the view that the principle of *inclusio unius, exclusio alterius* will be applied whenever there is an enumeration of such corporate powers, and that a blanket clause like that of section 2 above will not be given effect. Hence such an enumeration so far from being of any benefit may be a positive detriment. Much better, therefore, would it be, to make a general grant of powers subject to the limitations imposed in the charter.

The second feature of the Dayton charter which it would seem undesirable for other cities to copy relates to the nomination provisions. More than two pages are taken up with regu-

lations concerning primary elections, when it would have been much simpler to provide for nomination by mere declaration, on the English plan. Primary elections are no doubt superior to the old packed convention system of party nomination, but where it it is the avowed purpose to a charter, as it is that of the Dayton charter to have "party politics eliminated" it is unnecessary to have any kind of formal nomination procedure. Primary elections double the cost of elections, and what is worse they double the burden of the elector, which means just that much less participation by the voters, especially the best fitted ones. If a multiplicity of candidates is feared, it is suggested that the probability of minority candidates being chosen as a result of many applicants is on the one hand not a real danger and on the other can be met in a simple manner. That facility in becoming a candidate does not necessarily lead to a plethora of aspirants is shown by the experience of England. But even if it should do so in this country the danger of minority choices can be met by the use of the preferential ballot.

The third objectionable feature of the Dayton charter is of much greater significance because it seems to strike right at the heart of the city manager principle. By section 13 of the charter *the city manager is made subject to recall.* Now it seems clear that the very first step in the direction of expert city administration was to take the choice of the experts out of the hands of the electorate and to put it into the hands of some other organ, the council or the mayor as the case might be. It was felt that this offered greater opportunity of getting an expert man in the first place and of having him administer the affairs of the city energetically, without continually weighing in his mind, the probable effects of enforcing this or that administration measure which might be disagreeable to this or that influential political individual or group. If it is characteristic of the city manager plan to make the commission or council responsible for choosing the best man for the place, what possible justification can there be for making that same man subject to recall by the electorate. If he must "make a hit with the people" to keep from being recalled, he is scarcely in a better situation than if he has to make a hit with the people to be elected in the first place and his motives will inevitably be influenced by the contemplation of what response this or that proposed improvement will meet with in the minds of the voter.

We have made a long stride in the right direction when we discard the fallacy of trying to elect expert administrators by popular vote. Let us not slide back half way or more by allowing popular vote to determine whether or not such an administrator shall continue in office.

EXPERIENCE OF SANDUSKY, OHIO[1]

The city manager plan went into operation in Sandusky, Ohio, the first of the year (1916). The commission of five members had scarcely organized before a split disclosed itself. There is little doubt that the split was due to the fact that Commissioner Stubig and Commissioner Graefe were the representatives, in fact the leaders of two contending factions. The struggle opened over the election of the president of the commission. It was at this time that Stubig won the support of Commissioner Koegle, who was elected president of the commission, and thus secured control of a majority of the commission. The first climax in the conflict between Stubig and Graefe was reached when the majority of the commission ousted Auditor-treasurer Cheney from office. Thereupon the two minority commissioners Graefe and Mitchell in a signed statement published in all the newspapers, advocated the recall of the entire commission on the ground that its lack of harmony was seriously hampering the proper administration of public affairs.

The two daily papers pushed the movement for the recall of the entire commission. The basis of their attack was that the commission was out of joint with itself as demonstrated by the fact that the vote on every important question was three to two, and that the majority of the commission had subverted the charter by introducing politics. They had removed the auditor-treasurer, an expert called in from the outside, before he had been given sufficient time to prove his merit in order to put in his place one of their own friends. They had in order to build up patronage seriously hampered the city manager in his appointments even to the extent of dictating the appointment of his stenographer.

[1] Reprinted from "Some Recent Uses of the Recall," by F. Stuart Fitzpatrick, in the National Municipal Review, July, 1916.

Stubig's Weekly which represents the majority of the commission replied to these charges with vigor and no little feeling. It charged that the whole recall movement was a conspiracy on the part of the two minority commissioners in coalition with certain powerful clubs of the city and the two daily newspapers to gain control of the city administration by means of a new election. It justified the dismissal of the auditor-treasurer on the ground that he was an expert accountant who knew nothing of municipal affairs. It stated that the city manager, whom they had secured from the outside in order that he might make fair and impartial appointments, had upon coming to Sandusky lodged at one of the clubs where he fell in with a society out of sympathy with the ideals of the people, and had without consulting the commissioners made his appointments on the recommendations of this society. It was, consequently, the imperative duty of the commission to supervise his appointments. The commission, not its hired appointees, was on trial before the people.

The recall movement, if it may be termed such, initiated by the two minority commissioners, spent itself in mutual recriminations and threats. Commissioner Stubig, however, did get under way a real movement to recall minority Commissioner Graefe, at least preliminary petitions are being circulated among the south and west end residents. It is doubtful whether the petition will receive sufficient signatures since Commissioner Graefe "is a prominent man and a banker who is greatly feared in politics."

It is difficult to evaluate the recall in a situation such as exists at Sandusky. That city is torn apart by bitter factions, and the chief issue is one of personalties rather than of efficient, serviceable government. The recall, like every other instrument of government, can be used as a weapon in a factional conflict, and as such it is neither more nor less legitimate than any other instrument of government. The recall did not introduce confusion into the municipal politics of Sandusky. It is doubtful whether it is able to dispel any of the confusion. The electorate could make use of it to oust its "wrangling" politicians. One of the factions could make use of it to defeat its opponents. The real crux of the matter here, as always, is the level of public opinion.

ASHTABULA'S EXPERIENCES[1]

Ashtabula's Experiences.—Early in 1915 Ashtabula, Ohio, adopted a charter embodying the city manager plan. An account of how this charter was amended so as to provide for choosing the council by the Hare system of proportional representation and of the first election under the amended charter was given in the previous issue of the National Municipal Review.[2] Since that article was written a manager and other administrative officers have been chosen by the council and the new plan of government has gone into operation. Difficulties that arose in selecting a manager have been given such wide publicity that an account of what actually took place and a statement of the present situation may be of some interest. What is here written is based on a knowledge of conditions in Ashtabula extending over several years, and on a recent investigation made on the ground.

The council of seven elected in November, 1915, took office January 1, 1916. Their first and most important duty was to choose a city manager. In the performance of this duty four councilmen at once showed a disposition to play very personal, very cheap and very undesirable politics. Three of this group of four had been members of the council under the old city government, and the fourth was the one socialist elected under the new charter. The other three members of the council acquitted themselves with credit, sometimes voting to select a manager from outside the city and sometimes voting for a distinctly capable Ashtabula man with a good record of public service.

The Ashtabula charter does not specifically forbid the council to choose one of its own members as manager though such a choice would be entirely at variance with the spirit and fundamental principles of the manager plan. After a good deal of jockeying and fruitless balloting councilmen Briggs, Corrado, Earlywine and Hogan united in voting for Briggs. The city was outraged. While not undesirable as a councilman, Briggs has no qualifications for the managership except that just at that time he was badly in need of a job whereby to support himself and family. A storm of public disapproval broke over the council and centered itself on Briggs. Here the advantage of the concentrated responsibility and authority provided by the

[1] By A. R. Hatton. National Municipal Review. 5:660-2. October, 1916.
[2] Vol. v, p. 56.

charter manifested themselves. After twelve days of hesitation, Briggs yielded to the pressure of public opinion and declined the managership. The council returned to its balloting. Finally on January 25, and after one hundred ballots had been taken, Corrado, Briggs, Earlywine and Hogan voted for J. Warren Prine, a well known citizen of Ashtabula, and he accepted the managership at a salary of $2,500 per year.

Probaby no one alive to the spirit of the manager plan and appreciating its possibilities would regard the choice of Mr. Prine as better than mediocre. Material of superior quality could have been found in Ashtabula. He is fifty years old, has been active in politics as a Republican, was postmaster of Ashtabula for twelve years prior to January, 1915, has conducted a coal and builders' supply business for a short time and, on the whole, can be said to have had no training that specially qualifies him for the position of manager.

On the other hand it should be said, in fairness, that the citizens of Ashtabula seem to see nothing inappropriate in Mr. Prine's appointment. He has a reputation for honesty and is undeniably popular with all classes. He appears to have more than the ordinary equipment of common sense and has turned to his new duties with an earnestness that may go far in compensating for his initial deficiencies. In order to acquaint himself with his work he visited Dayton and Springfield, the two most prominent commission manager cities in the country. The people of Ashtabula seem to regard him with considerable confidence. He has stated that political considerations will play no part in his appointments, but that subordinates will be selected upon the basis of fitness alone. The few changes that he has made seem to meet with general public approval and are undeniably in the interest of efficient and economical government.

ONE EDITOR'S OPINION OF THE CITY MANAGER PLAN IN NIAGARA FALLS, N.Y.[1]

In brief, the people voted to adopt this plan in November, 1914, and out of the seven thousand or more voters of this city, less than one-half gave any expression either way. The two party organizations were opposed to it, but did nothing—believing

[1] A letter from E. T. Williams, Editor-Manager of the *Niagara Falls Journal*.

that the proposition would be defeated at the polls. A year later, officers were elected under this plan which as you will see embraces a mayor and four councilmen elected at large, who appoint the city manager. When these officials came into office they adopted a set of ordinances purporting to put into effect Plan C, but Attorney-General Woodbury, of this state, handed down an opinion shortly afterward to the effect that some portions of Plan C were unconstitutional. A bill was thereupon prepared embracing the ordinances which had been passed by the councilmen, which was passed by the Legislature and signed by the Governor.

An outside man was appointed City Manager at a salary of $5,000 per year, which is double any salary ever paid for any city office in Niagara Falls.

Public opinion is divided as to the efficiency and general desirability of the city manager plan. The only other city in New York state that has it is Newburgh. Voters of several cities to whom this plan has been submitted, in New York, have rejected it. The consensus of opinion here now is that if the plan were submitted to this City at this time, it would be disapproved. It has now been in effect virtually for one year and two months, but under the provisions of the law the question cannot be submitted until the expiration of four years.

The mayor and four councilmen were all elected upon the Republican ticket, and contrary to the predictions regarding it, the city government of Niagara Falls is largely a partisan government. Two of the councilmen are to be elected again next fall, while the mayor and other two councilmen serve four years. The prediction is made that, although this city is normally strongly Republican, the two councilmen elected next fall will be Democrats.

CATARACT JOURNAL COMPANY,
E. T. WILLIAMS,
Editor-Manager.

ARGUMENTS AGAINST THE ADOPTION OF THE CITY MANAGER PLAN IN PASADENA, CALIFORNIA[1]

On November 21, 1916, the citizens of Pasadena defeated the city manager charter by a vote of 4,640 to 4,041.

Existing Commission Plan Has Been Successful

In the twenty-six years since I have been in Pasadena our city government has existed under a number of different plans and I think it can be fairly said that under all of the different plans we have had a good city government.

At first the city was incorporated under the statutory charter of a city of the sixth class, planned for the smallest class of an incorporated municipality with a board of trustees.

Then, years after we had outgrown that charter, a freeholders' charter was prepared by a large board of freeholders, who labored for many months, with great care, to work out the details properly. And I remember that at that time, the theory of having much power vested in one man was much discussed, and the office of mayor was created with that design in view. Although the utmost care was taken in the preparation of the freeholders charter, it has been found necessary from time to time to make some modifications of the same.

Then, years after we had outgrown that charter, a free-mission form of government was much discussed, and, after mature consideration and careful preparation, was adopted and the necessary changes in the charter made. And since then, instead of having one manager, we have had five, each one in charge of the particular department of the municipal business, for which he was best qualified by training and experience; and all together sharing the responsibility of definite action upon the more important matters. And, as far as I can judge, most of our citizens are quite well satisfied with the results thus far shown.

It should be remembered that probably no plan or form of city government can or should be devised, which will not leave much to the personal initiative and judgment of its responsible governing body. And it is most important that radical changes

[1] Reprinted from issues of *The Star-News*, November, 1916.

in the fundamental law of any government should not be made hastily or without the most careful preparation and consideration.

We certainly, therefore, should not always be tinkering with our charter, by making radical and sudden changes in its plan; but, on the contrary, having once deliberately decided to try out the commission form of government, it would seem that the reasonable and sensible thing to do is to first thoroughly try out that plan, making, in the meantime, such reasonable adjustments as experience may show to be necessary. And any changes whatever that are made in a charter, should only be made after the most thorough and painstaking preparation and deliberation, and the more so, where such changes are radical in their nature.

J. H. MERRIAM.

Proposed City Manager Charter Defective

The following is a letter from a city manager. If Cadillac, Mich., wouldn't like the proposed amendment, why should Pasadena like it?

"I believe that it would be a great mistake for the amendment to require that all the directors be elected at the same time for two-year terms. This undoubtedly will result in a political turmoil at some time as would most likely have been the case in Cadillac last fall. Owing to the fact that three of the five commissioners were not removed co-operation is perfect and conditions are very satisfactory.

"The limitation as to the amount of salary to be paid the manager might be satisfactory for a few years, but if Pasadena grows in population and favors the proposed form of government to the fullest extent of efficiency, they will in later years want to be in a position to meet the demands for efficiency in being able to hold a capable manager or secure one at the salaries city managers are undoubtedly going to command in other large cities. When that time comes it will be rather difficult to get an amendment passed granting the directorate power to pay higher salaries."

T. V. STEPHENS,
General Manager City of Cadillac.

Following is an extract from a letter of Charles E. Hewes, city manager of the city of Alhambra, together with expressions of opinion from several citizens:

"The following provisions in the amendment I do not believe to be wise:

(1) "'All directors are elected at the same time for two-year terms.'

"This means that every second year a new set of directors would take office. They would be unfamiliar with the policies of the old directorate, the work it had accomplished as well as that which it had planned. Further, they would not be conversant with the work of the manager. It would take them several months to 'get into harness.' I believe it is a much better policy to have a change each year, without distributing the majority on the board. Under our charter the president of the commission, who is elected at large in the city, holds office two years. The balance of the commission holds office four years, with one commissioner going out of office each year.

(2) "The idea of limiting the salary of the city manager is not a good one.

"The city of Pasadena is bound to grow, and $6,000 per year may not be sufficient, in a few years, to induce the proper man to assume the duties of a manager. Of course the charter could be amended, but to my mind, the more rational way would be to name a minimum salary, leaving the maximum to the directors.

(3) "'The directors can name only the aggregate sum which may be spent by any department, leaving the expenditure of this amount entirely to the judgment of the manager.'

"I do not particularly like this section, as it would seem from reading the same that after the directorate had fixed a lump sum to be spent by any department, it would have no further interest as to how and where the money should be spent.

"The directorate is the policy-forming body of the city, and if it is policy to set aside a definite sum of money for a particular improvement, this provision would seem to interfere. The manager is not greatly interested in what the directorate may wish to do. He may advise, it is true, but if a certain piece of work is decided upon, it is his duty to see that the work is properly done and that the city gets value received for every dollar spent, accounting to the people for the same."

City Manager Would Possess Unlimited Powers

The commission form of city government, as it now exists, divides the responsibility into departments, which should give to

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"The limitation as to the amount of salary to be paid the manager might be satisfactory for a few years, but if Pasadena grows in population and favors the proposed form of government to the fullest extent of efficiency, they will in later years want to be in a position to meet the demands for efficiency in being able to hold a capable manager or secure one at the salaries city managers are undoubtedly going to command in other large cities. When that time comes it will be rather difficult to get an amendment passed granting the directorate power to pay higher salaries."

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"This means that every second year a new set of directors would take office. They would be unfamiliar with the policies of the old directorate, the work it had accomplished as well as that which it had planned. Further, they would not be conversant with the work of the manager. It would take them several months to 'get into harness.' I believe it is a much better policy to have a change each year, without distributing the majority on the board. Under our charter the president of the commission, who is elected at large in the city, holds office two years. The balance of the commission holds office four years, with one commissioner going out of office each year.

(2) "The idea of limiting the salary of the city manager is not a good one.

"The city of Pasadena is bound to grow, and $6,000 per year may not be sufficient, in a few years, to induce the proper man to assume the duties of a manager. Of course the charter could be amended, but to my mind, the more rational way would be to name a minimum salary, leaving the maximum to the directors.

(3) " 'The directors can name only the aggregate sum which may be spent by any department, leaving the expenditure of this amount entirely to the judgment of the manager.'

"I do not particularly like this section, as it would seem from reading the same that after the directorate had fixed a lump sum to be spent by any department, it would have no further interest as to how and where the money should be spent.

"The directorate is the policy-forming body of the city, and if it is policy to set aside a definite sum of money for a particular improvement, this provision would seem to interfere. The manager is not greatly interested in what the directorate may wish to do. He may advise, it is true, but if a certain piece of work is decided upon, it is his duty to see that the work is properly done and that the city gets value received for every dollar spent, accounting to the people for the same."

City Manager Would Possess Unlimited Powers

The commission form of city government, as it now exists, divides the responsibility into departments, which should give to

in the fundamental law of any government should not be made hastily or without the most careful preparation and consideration.

We certainly, therefore, should not always be tinkering with our charter, by making radical and sudden changes in its plan; but, on the contrary, having once deliberately decided to try out the commission form of government, it would seem that the reasonable and sensible thing to do is to first thoroughly try out that plan, making, in the meantime, such reasonable adjustments as experience may show to be necessary. And any changes whatever that are made in a charter, should only be made after the most thorough and painstaking preparation and deliberation, and the more so, where such changes are radical in their nature.

J. H. MERRIAM.

Proposed City Manager Charter Defective

The following is a letter from a city manager. If Cadillac, Mich., wouldn't like the proposed amendment, why should Pasadena like it?

"I believe that it would be a great mistake for the amendment to require that all the directors be elected at the same time for two-year terms. This undoubtedly will result in a political turmoil at some time as would most likely have been the case in Cadillac last fall. Owing to the fact that three of the five commissioners were not removed co-operation is perfect and conditions are very satisfactory.

"The limitation as to the amount of salary to be paid the manager might be satisfactory for a few years, but if Pasadena grows in population and favors the proposed form of government to the fullest extent of efficiency, they will in later years want to be in a position to meet the demands for efficiency in being able to hold a capable manager or secure one at the salaries city managers are undoubtedly going to command in other large cities. When that time comes it will be rather difficult to get an amendment passed granting the directorate power to pay higher salaries."

T. V. STEPHENS,
General Manager City of Cadillac.

Following is an extract from a letter of Charles E. Hewes, city manager of the city of Alhambra, together with expressions of opinion from several citizens:

"The following provisions in the amendment I do not believe to be wise:

(1) "'All directors are elected at the same time for two-year terms.'

"This means that every second year a new set of directors would take office. They would be unfamiliar with the policies of the old directorate, the work it had accomplished as well as that which it had planned. Further, they would not be conversant with the work of the manager. It would take them several months to 'get into harness.' I believe it is a much better policy to have a change each year, without distributing the majority on the board. Under our charter the president of the commission, who is elected at large in the city, holds office two years. The balance of the commission holds office four years, with one commissioner going out of office each year.

(2) "The idea of limiting the salary of the city manager is not a good one.

"The city of Pasadena is bound to grow, and $6,000 per year may not be sufficient, in a few years, to induce the proper man to assume the duties of a manager. Of course the charter could be amended, but to my mind, the more rational way would be to name a minimum salary, leaving the maximum to the directors.

(3) "'The directors can name only the aggregate sum which may be spent by any department, leaving the expenditure of this amount entirely to the judgment of the manager.'

"I do not particularly like this section, as it would seem from reading the same that after the directorate had fixed a lump sum to be spent by any department, it would have no further interest as to how and where the money should be spent.

"The directorate is the policy-forming body of the city, and if it is policy to set aside a definite sum of money for a particular improvement, this provision would seem to interfere. The manager is not greatly interested in what the directorate may wish to do. He may advise, it is true, but if a certain piece of work is decided upon, it is his duty to see that the work is properly done and that the city gets value received for every dollar spent, accounting to the people for the same."

City Manager Would Possess Unlimited Powers

The commission form of city government, as it now exists, divides the responsibility into departments, which should give to

the city the very best results. In cities operating under this plan, where capable men are selected, it has unquestionably proved to be very satisfactory.

The plan proposed by amendment of the city charter eliminates all departments and turns over the entire management of all the affairs of the city to one person called a city manager. Under the amendment proposed it gives the city manager extraordinary authority.

He is charged with the enforcement of all the laws. He is to assume the entire and exclusive control, direction and supervision of all the departments of the city. He is to issue rules and regulations for the management of all of its departments.

He is given power to appoint or remove any and all employes of the city, except the auditor, police judge, city attorney and the city treasurer. He is to have power to fix the qualifications, powers and duties of all employes of the city except the auditor, police judge, city attorney and city treasurer aforesaid. He is to make monthly reports from the various departments, and an itemized estimate of all financial needs of the various departments of the city.

He is to have power to act as a police office and make arrests and suspend licenses.

In a word, he is made both an administrative and executive officer, and is charged with extraordinary responsibilities; greater, in fact, than any one person is capable of performing.

The proposed charter, after making provision for all of the above duties to be performed by the manager, then very curiously provides that "the city manager shall designate (appoint) by instrument filed with the city clerk some properly qualified person to perform the duties of his office during his disability or absence from the city."

It seems that the directors propose to allow him extraordinary authority to make appointment filling his own office in his absence. Why not reserve this power in case of his absence or disability?

It seems to me that the proposed charter places in his hands almost unlimited powers and authority not expedient or wise, nor in the best interests of a great city the size and importance of our city.

H. W. MAGEE.

FIVE REASONS WHY THE CITIZENS COMMITTEE OPPOSED THE ADOPTION OF THE CITY MANAGER PLAN IN PASADENA, CALIFORNIA[1]

We believe it is to the best interest of Pasadena to vote "No" November 21st on the proposed change in our form of municipal government and urge our fellow citizens so to vote for the following reasons:

1. The proposed "City Manager Plan" has been tried in but a comparatively few cities and there is no certainty at this time that so new and radical a change would better the government of Pasadena.

2. If we grant that a "City Manager Plan" would be a beneficial change, yet the proposed amendment is faulty in several important respects, as pointed out by city managers to whom this amendment has been submitted, to-wit:

(*a*) The manager is limited to a salary of $6,000 per annum. This should be left to the municipal directors to decide, the same as the directors of private corporations fix a manager's salary.

(*b*) The directors are to be selected for two years; hence every two years there would be a complete change of the entire board. We believe they should be elected for four years with overlapping periods, so that a majority of the board would be hold-overs and familiar with the city's business.

(*c*) The proposed amendment provides that the directors shall name a lump sum to be expended in each department. We believe the city manager should formulate both the annual tax and appropriation budget, public hearings on same should be held, and a budget finally determined upon so that expenditures will be offset by income.

(*d*) We believe the directors should be elected at large, and should not represent wards or districts, that we should be able to select the best men, irrespective of the district in which they reside. Under the proposed plan too great an incentive is given to legislative log rolling. If this city is to be governed by a directorate, the body should represent the city as a whole.

(*e*) We believe the amendment should read "The manager

[1] Reprinted from the Pasadena *Star-News* of November 18, 1916.

shall attend" and not "He *may* attend" directors' meetings, and for obvious reasons.

The above, (*a*), (*b*), (*c*), (*d*) and (*e*), are five defects that seem apparent at this time. All of them have been called to our attention by the city managers of other municipalities.

3. It is admitted that our charter could be revised advantageously, but we do not believe the commission form of government has been thoroughly tested here nor has it proven inefficient or uneconomical. Quite the contrary. Many improvements have been effected, the tax rate reduced and the public service extended without the voting of bonds. Only two municipalities in Los Angeles County have a lower tax rate than Pasadena, viz., Eagle Rock and Arcadia.

4. The present movement for a complete change in our form of government has been unfortunately inaugurated. We do not believe it is fair either to the city manager plan or to the citizens generally to have brought so important a movement to a focus practically at the close of a national political campaign and oblige the citizens to vote at a special election scarce two weeks after the general election was held on a matter they do not thoroughly understand. This subject should have had general and extended discussion prior to any election. It should be handled through a representative citizens' committee or a regularly elected board of freeholders as provided in our state constitution.

5. We wish for Pasadena the best form of government possible. We pledge ourselves to co-operate with our fellow citizens to this end. But we are unalterably opposed to an immediate and radical change in our form of government, without a prior investigation and extended discussion to the end that the citizens generally may have intelligent and definite opinions upon the subject. With Pasadena today one of the best improved, best governed and most prosperous municipalities in the state, we urge our fellow citizens "to make haste slowly."

CITIZENS COMMITTEE,
Edward F. Parker, Secretary.

ARGUMENT AGAINST THE ADOPTION OF THE CITY MANAGER PLAN IN BERKELEY, CALIFORNIA[1]

[The city council of Berkeley submitted to the voters a proposition to incorporate the office of city manager into the city charter. The amendment was defeated on Nov. 7, 1916, by about six hundred votes. Apparently no aggressive campaign was waged for the adoption of the amendment.—*Ed.*]

No adequate reason has been advanced to induce Berkeley to adopt the city manager plan. We are told in general terms of the wonderful work done in Dayton, of the increase in efficiency under a manager, of the financial saving to be effected, but an analysis of these claims does not show they are justified and the people of Berkeley should take care they are not deceived as they were by the proponents of our present commission government. It is fair at this point to observe that the deception was not intentional. The board of freeholders that drew up our charter were honest in the belief that a commission constituted the best city government. We were told it would be more economical and more responsible than the old council plan. In fact that it was the last word in municipal government.

It did not take long for the freeholders to find they were mistaken, so they reconvened and decided our city should be conducted on the city manager plan. We must now bear in mind that the same roseate promises which induced us to adopt our present form of government are being used in favor of the Dayton plan.

When we consider conditions in Dayton before the manager plan was adopted it is easy to understand why a change was made. As a matter of fact any change was a change for the better.

The following extract from Toulmin's books, "the city manager," gives a fair idea of the Ohio city's reason for trying the experiment:

"It was a government by deficit, a government with no check on expenditure by any department, with little forethought in regard to that embarrassing future question as to where the

[1] By C. C. Emslie. Reprinted from the *Berkeley Daily Gazette*, November 3, 1916.

money was to come from. In six years the total deficit amounted to $360,000, or an average of $60,000 a year, in 1912 alone the council made the barefaced appropriation of $1,051,300 upon an acknowledged income of $943,000, or an increase over income of $108,300."

In view of the above it is not to be wondered at that Dayton was ripe for a change, but it would seem that what the citizens of that community really needed was not a manager but a guardian.

Surely no one will contend that this city is in such desperate straits as was Dayton. It is admitted that our form of government is highly unsatisfactory but the writer believes the reason is that the governing power is improperly distributed; is not in sufficiently close touch with the voters and that the adoption of the manager plan would increase these tendencies.

As for the increase in efficiency—is it not possible that we are making a fetish of the term? It is not the present day tendency of our city governments to disregard the bounds of the community means and needs in the insane desire to emulate larger and wealthier communuities? Are not departments builded up out of all proportion to necessities? It would seem so. City Manager Reed of San Jose in the course of an address on his work, recently delivered in this city, claimed he had increased his efficiency by constituting himself the city complaint department; that all sorts of people telephone to him at all sorts of hours, with all sorts of complaints. Many of these complaints, he admitted, were frivolous and beyond his power to remedy. Now, it may be efficiency for Manager Reed, who gets $6,000 a year to do work which could as well be attended to by an ordinary clerk, but the writer doubts it.

It is also doubtful if the new plan would effect any saving to the taxpayers. Manager Reed, in the address above referred to, freely admitted that the only saving he could point to under his administration, was the elimination of the office of city treasurer, whose duties are now conducted by a bank at a saving to the city of $5,000 a year. This plan is not new; it is in use in various eastern cities and will probably be adopted in Berkeley, city manager or no city manager.

What Berkeley needs is a government fairly responsive to the wishes of the majority of the citizens; a government based on the needs of the city, not on the needs of other cities. We

were foolish enough to adopt the commission plan as a result of a big flood in Galveston; let us not repeat the folly by adopting the manager plan because of corruption and mismanagement in Dayton.

ARGUMENTS AGAINST THE ADOPTION OF THE CITY MANAGER PLAN IN SPRINGFIELD, MASSACHUSETTS[1]

[On November 7, 1916 voters of Springfield preferred the federal plan to the city manager plan, on December 5, the existing plan was preferred to the federal plan.—*Ed.*]

The Union opposes the adoption of the proposed new charter for Springfield because it is convinced that the present charter offers a much wiser and safer form of government. The Union does not believe that the people of this city should surrender the participation that they now have in their government and vest their control in the hands of a mayor who would have it in his power to do Springfield irreparable injury.

It is not an improved form of government that creates an opportunity for the mayor to build up a political machine so powerful as to make its overthrow next to impossible.

It is not an improvement to abolish the common council and substitute ward aldermen for aldermen elected at large.

It is not an improvement to throw the schools into politics by making members of the school board mere ward committeemen.

It is not an improvement to give the mayor power to remove members of the school committee at his pleasure. Advocates of the proposed charter admit that this is a mistake, and say they did not intend to give the mayor any such power, but the fact remains that the charter does give it to him.

It is not an improvement to take the water department, now handled as a strictly business enterprise, and put it under political control.

It is not an improvement to substitute for the present checks and balances the uncertain devices of the initiative, the referendum and the recall.

[1] Reprinted from *The Springfield Union*, issues of December 3 and 6, 1916.

When the charter of Springfield is revised the revision ought to be made in the light of the city's actual experience. Nobody can dispute the fact that whatever may be the theoretical disadvantages of the present charter, the city has had good government under it continuously for sixty-four years. The mere fact that Springfield gets the highest average price for its bonds of any city in the United States of itself affords convincing evidence that our municipal administration has been and still excellent. The last sale of bonds in Dayton, O., which boasts of a city manager and all the latest wrinkles in government, was made on a basis of 3.98. The last sale of Springfield bonds was made on a basis of 3.48. The net debt of this city is less than 3 per cent of the valuation, which is one half of 1 per cent under that of the average of all the other Massachusetts cities. Our average tax rate for all purposes for the last ten years has been $16.14, which is the lowest average of any city of like population in the country. Here, in brief, is a financial record that affords convincing evidence that Springfield voters should leave well enough alone.

Citizens of Springfield who have taken little interest in the activities of those responsible for all the municipal charter agitation are opening their eyes as to the facts regarding the agitators and their schemes.

By this time everybody can be satisfied as to the motives of the federal charter leaders. First of all, it is a Democratic move to obtain control of the city by setting up a system of ward politics from which even the school board would not be immune. Representing, as it does, an attempt to break into the school department, the proposed charter is making enemies of many citizens who otherwise might have less concern in the proposition.

Up to yesterday there seemed to obtain so much public indifference to the charter question that the federal crowd was all confidence, because the lack of interest apparently was on the other side. About all the activity in this campaign has been the work of the federalists. Advantages have been with them from the time when their charter defeated the city manager plan by a close vote at the November election.

The serious situation that in this respect confronts Springfield today can be summed up in a few words. It is a plot by Democratic politicians to get a hold on the school committee, in which purpose they are aided and abetted by such Republicans as certain city manager schemers have been able to mislead.

As for the city manager schemers, already it has been shown by their own works that, having lost their case, they stand out in the destructive light of being ready to foist a cheap charter upon the city, with consolation for them in the reflection that it would prove to be so rotten they could before very long come back again with their city manager project.

In the referendum at the state election the federal form of charter won over the city manager form by a majority of 330. In the referendum at the city election yesterday, when the voters had an opportunity to say whether they preferred this federal form to the charter now serving the city, a majority of 2,919 was rolled up for the present charter. This should end for a long time the activities of those who are laboring under the delusion that Springfield is in need of an entirely new instrument of government.

Whatever may be the defects of the bicameral system as it is here operated, those defects are not of a character so serious as to convince the people that the only remedy is to discard the city's experience of sixty-four years merely because some other cities are experimenting with new-fangled contraptions. The charter of the city may some day be revised in the light of the amendments it has received, and such further amendments as are demed advisable, but not for a very considerable period will anybody or any interest have the temerity to conduct an agitation for a radical departure in our governmental methods.

The Union is very glad to have contributed its mite toward the preservation of the honorable charter under which Springfield has made such substantial progress, and under which it has achieved so enviable a reputation among American municipalities.

KANSAS CITY DEFEATS MANAGER PLAN[1]

Kansas City, Mo.—The proposal for a new charter for Kansas City was voted down at a special election by an almost even vote, the negative vote having a majority of about 50. A four-sevenths majority was necessary for passage. The proposed charter called for a simplified form of city government along the lines of the city-manager plan. Under the plan, ward lines were to be abolished and city government directed by an administra-

[1] Municipal Journal. p. 383. March 15, 1917.

tive board instead of the city council. Approximately 32,000 votes, about half those registered, were polled. The day after the election mayor George H. Edwards announced that he expected soon to name a board of freeholders to draft a new city charter to be submitted to the voters for adoption as quickly as it could be prepared. Mayor Edwards declared he would recommend that the freeholders "correct the many errors in the defeated charter, embody the good features of it and retain the provisions of the present charter that years of experience have proved to be good, providing a simple but safe form of government." The charter was opposed by mayor Edwards and factions of both the larger parties.

COMMISSION FORM LOSES[1]

Iowa City, Ia.—By a vote of 899 to 747 the proposition to substitute the commission-manager plan of city government for the council and mayor system in Iowa City was lost at a special election. The vote total, 1,646, was just a little more than half of the complete city vote. Two wards out of five gave a majority in favor of the plan. Four years ago the proposition to adopt the commission form of government for the city was lost by a majority of 195 against the proposal.

CITY MANAGER PLAN DEFEATED[2]

Arkansas City, Kan.—The city manager plan of municipal government was defeated here by a majority of 51 votes, 912 ballots being cast for the plan and 963 against it.

COUNTY MANAGER CHARTER DEFEATED[3]

Napa, Cal.—The proposed county charter was defeated by the voters of Napa County by a three to one vote. The provision in the charter for a business manager and the proposed increased appointive power for the supervisors are declared re-

[1] Municipal Journal. p. 383. March 15, 1917.
[2] Municipal Journal. p. 421. March 22, 1917.
[3] Municipal Journal. p. 382. March 15, 1917.

sponsible for its defeat, although, if adopted, the constitution provides that it may be amended at any time by a majority vote or it may even be surrendered by a two-thirds vote. It was estimated that $10,000 a year would be saved in salaries under the charter plan of combining a number of offices. Under the proposed charter, five supervisors would be elected at large and would receive a salary of $50 a month. These would appoint a business manager who would be ex-officio purchasing agent and public administrator and receive a salary of $250 a month. The supervisors would have power to name the road engineer, who has direct charge of all construction of highways and bridges, and of the business manager, who would have general supervision of all county offices. Under the charter the office of auditor was made one of great importance and an elaborate budget system was provided. The auditor and the business manager would fix the budget after each county official submitted to them the amounts necessary to run their several offices during the year. This budget would be submitted to the supervisors, who could lower it, but not raise any of the estimates. A uniform system of bookkeeping was also required by the charter. The purchase of all county supplies, including those for all schools, would have been in the hands of the purchasing agent. That taxation should not be rapidly increased except in case of great public danger or emergency was provided in the charter. In 1918 the supervisors would not be able to raise more than $260,000 by taxation and in each succeeding year the amount would not be increased above the amount raised during the previous year by more than three per cent. The tenure of present county officials was not affected by the charter, and the provisions of the state constitution regarding the initiative, referendum and recall were made a part of it.

ANOTHER COUNTY CHARTER DEFEATED[1]

Lakeport, Cal.—The proposed charter for Lake County was defeated by the voters by a large majority, almost two to one. The campaign was hard fought. The defeated charter was similar in many of its provisions to the one voted down in Napa County, described last week.

[1] Municipal Journal. p. 421. March 22, 1917.

IOWA CITY MANAGERS RESIGN[1]

Iowa Falls, Ia.—On April 1, E. L. Marriage, who has been the city manager here for the last three years, will retire from that position and his successor will be chosen. Mr. Marriage has tendered his resignation with a view to accepting "a better paying position and one that is not dependent upon politics." During the three years of the city manager plan here, according to the satisfaction of the citizens, Mr. Marriage has demonstrated its success and much good has been accomplished through his management, backed by a mayor and council co-operating in making the plan operative in the best way. Before he became city manager Mr. Marriage was county auditor.

Webster City, Ia.—H. G. Vollmer, who has held the position of city manager here for a year, has resigned, and plans to leave here April 1. Manager Vollmer's resignation came as a surprise to the members of the council. His formal resignation cites no reason for his action. It is understood here, however, that Mr. Vollmer has had several offers of a better position and his friends make no secret of the fact that the resignation was largely caused by the insistence of the council in curbing the manager's authority. At no time since Mr. Vollmer came here has he been given the full management of the city's affairs. His friends claim he has been so hampered as to interfere seriously with plans he has had in mind, and that his resignation is the culmination of dissatisfaction with the attitude the council has assumed toward him.

[1] Municipal Journal. p. 421. March 22, 1917.

APPENDIX

MUNICIPALITIES UNDER THE CITY MANAGER PLAN, MARCH 1, 1918[1]

City	Population, 1918	In Effect	Manager	Salary
Albuquerque, N. Mex.	14,000	Jan., 1918	P. G. Redington...	$4500
Altoona, Pa.....	60,000	Jan., 1918	H. G. Hinkle.....	8,000
Anoka, Minn.....	2,000	Apr., 1914	Henry Lee.....	1200
Auburn, Me.....	17,000	Feb., 1918	H. G. Otis.....	3600
Ballinger, Tex.....	.....	Jan., 1917		
Bethlehem, Pa.....	15,000	Mar., 1918		
Birmingham, Mich....	6,000	Apr., 1918		
Boulder, Colo.....	12,000	Jan., 1918	F. O. Heinrich....	4,000
Brigham City, Utah..	4,000	Jan., 1918	C. O. Roskelley...	....
Brownwood, Tex.....	7,000	1917	W. E. Dickerson..	....
Bryan, Tex.....	7,000	Aug., 1917	J. W. Greer.....	2,400
Carrington, N. D....	.....	May, 1917	F. J. Beier.....	1,200
Durham, N. C.....	25,000	May, 1917	W. M. Wilkes.....	3,600
Eaton Rapids, Mich..	5,000	Apr., 1913		
Edgeville, Pa.....	8,000	Jan., 1914	W. M. Cotton.....	2,400
El Dorado, Kans.....	5,000	July, 1917	B. C. Wells.....	3,600
Farmville, Va.....	5,000	Sept., 1915	Leslie Fogus.....	1,200
Gallipolis, O.....	6,000	Jan., 1918	Edw. E. Myers....	1,500
Goldsboro, N. C.....	11,000	July, 1917	E. A. Beck.....	3,300
Griffin, Ga.....	8,000	Dec., 1918		
Grosse Pte. Shores, Mich.	1,200	June, 1916	G. A. Abbott.....	1,800
Hanford, Cal.....	.....	Oct., 1917	Jay Hinman.....	1,800
Kalamazoo, Mich.....	60,000	Apr., 1918		
Kingsport, Tenn.....	8,000	Mar., 1917	W. R. Pouder.....	3,000
Lubbock, Tex.....	2,000			
Madill, Okla.....	4,000	1917	H. L. McDuffie...	1,800
Manchester, Iowa....	3,300	May, 1916	Thomas Wilson....	1,400
Mangum, Okla.....	.....	Nov., 1914	W. F. Hearne.....	1,800
Mt. Pleasant, Iowa..	4,200	Apr., 1916	T. W. McMillan..	1,530
Muskegon H'ts., Mich.	3,000	Jan., 1917		
New Hampton, Iowa.	2,800	1917		1,400
Norfolk, Va.	90,000	Sept., 1918		
Ocala, Fla.	6,000	Feb., 1918	J. N. Johnston....	....
Petersburg, Va.....	26,000	Sept., 1920		
Pipestone, Minn.....	3,000	May, 1917	F. E. Cogswell....	1,700
Royal Oak, Mich....	5,000	June, 1918		
Sault Ste. Marie, Mich.	13,000	Dec., 1917	J. H. Moore.....	3,600
So. Charleston, O....	1,200	Jan., 1918	P. H. Cheney.....	1,400
Three Rivers, Mich...	6,000	Apr., 1918		
Titusville, Pa.....	12,000	Dec., 1913	H. A. Holstein....	2,100
Waltham, Mass.....	30,000	Mar., 1918	C. A. Bingham....	5,000
Xenia, O.	9,000	Jan., 1918	Kenyon Riddle....	3,000

[1] A supplement to the lists on pp. 11 and 12 of this volume. Figures are taken from the Municipal Journal. 44:258-9. March 30, 1918.

THE PROPOSED APPLICATION OF THE MANAGER IDEA TO THE GOVERNMENT OF CHICAGO[1]

Will Chicago rise to her great opportunity to set a new pattern for the efficient and democratic government of all our larger cities? If she does so, Chicago will again justify to the world and to history her splendid motto of affirmation—"I Will."

Such an opportunity now knocks at Chicago's door in the form of a detailed and carefully drawn bill, subject to certain important modifications, for the legislature to enact, reorganizing that city's present complex, cumbersome and wasteful scheme of government with a new and modified application of the *city-manager* plan. Such a bill has been drafted by the Chicago Bureau of Public Efficiency, of which Harris S. Keeler is the director, and is published in pamphlet form for public study and consideration. The bureau invites suggestions for possible improvement of the bill before the legislature meets. It is rather expected that Governor Lowden will call an extra session of the legislature and in that case he may conclude this measure in his call. There is no regular session in 1918 and the present Chicago Mayor's term ends in April, 1919. Hence the importance of prompt action.

To all of our readers who are following the series of articles dealing with the existing plans of government in the larger cities of the United States ("How Our Big Cities Do Things," begun in October Equity with the study of New York, Philadelphia and Chicago and continued in this issue on page 27) the knowledge that a great drive is about to be made by the forces of good government in Chicago for a modified form of the city-manager plan will be intensely interesting. If Chicago can do this thing and make it work out advantageously in practice, then other large cities can do it. The effort of Chicago will be watched by all students of municipal government with genuine interest. Hence it seems worth while to present here a fairly comprehensive summary of the proposed new charter, although the main features of the plan were given in the April Equity (page 52,) when we were discussing the report on unification of

[1] Equity. 20:11-16. January, 1918.

Chicago's local governments issued by the same bureau which has now drawn this bill.

The Executive in the New Plan

Although the proposed bill is intended to give Chicago the essential features of the city-manager plan, the term "city-manager" is not used therein. For the executive head the title of "Mayor" is retained. But instead of being elected by the voters of the city, the Mayor, under the new plan, will be chosen by the reconstructed City Council to be the chief executive officer of the city and may be "any competent person who is a citizen of the United States."

The Mayor will "administer the executive power of the city" but will do so "under the direction of the City Council, and will hold his office for an indefinite period at the pleasure of the Council." The Mayor will be authorized to appoint and to remove at will (without a trial or statement of cause) the head of every principal department, except the City Clerk and City Comptroller. The Mayor would have to give notice of any such appointment or removal to the Council, but the Council would have no power to reinstate an officer removed by the Mayor

Before the end of each fiscal year the Mayor is required to submit to the Council an itemized budget for each department with comparisons of same for previous year and estimated revenues, obligations, etc.

Other Officers Under the New Plan

The City Comptroller will also be elected by the Council and hold office at the Council's pleasure as the chief accounting and auditing officer. But aside from the control of accounts and audits, the Comptroller is to have no supervision of officers.

The City Clerk is to be chosen by the Council to hold office at the pleasure of the Council.

The City Treasurer is to be appointed by the Mayor and hold office at the Mayor's pleasure. He is to be the head of the city's finance department.

The executive departments are to be such as may be created and defined by the Council; and each department shall include such bureaus and divisions as may be determined by the Council. No officials except members of the Council are to be elected by popular vote.

City Council Under New Plan

The City Council is to be a one-chambered body composed of 35 aldermen, elected by popular vote, one from each ward, for a term of four years, at $4,000 salary. The Council must elect its own presiding officer, who may cast one vote on all questions. The choice of Mayor, Comptroller and City Clerk must be by a majority vote of the Council.

The Mayor may veto ordinances but any vetoed ordinance may be repassed by only as many votes as is necessary for its first passage.

The grant of a street franchise may be made by a majority vote of the Council, but not for more than five years, (a) unless passed by a two-thirds majority and a declaration that it shall not be subject to either the mandatory or optional referendum, or (b) unless the proposed ordinance provides for its being submitted to the voters, or (c) it provides that it shall not go into effect for 60 days, during which period if a petition signed by 5 per cent. of the voters at the last election is filed, the said ordinance may not go into effect unless approved by a majority of the voters voting thereon. The Council is authorized to submit any such ordinance to the voters.

Non-Partisan Election and Recall

The provision for the non-partisan election of aldermen is that nominations be made by petition only, signed by not less than 1% of the voters of a ward. There are no primary elections and in case no candidate gets a majority of the votes at the election, provision is made for a supplementary election, three weeks after, when only the two highest candidates at the first election are voted for.

Any alderman is made subject to recall after serving one year, the recall being invoked by a petition signed by 25 per cent. of the voters of his ward who voted at the last aldermanic election. The city-wide Recall will not exist as, under this bill, aldermen elected by wards will be the only officials elected by popular vote.

The Recall petition must contain a general statement in not more than 200 words of the ground upon which the removal is sought. The procedure prescribed for the Recall is as follows:

At the top of the ballot is placed the direct question in the following form:

Shall ..... be removed from the office of alderman from the ..... Ward?	Yes	
	No	

Below this on the same ballot are to be printed the names of the candidates for the successor to said alderman, headed by that of the incumbent alderman whose removal is sought. But in case said alderman shall have resigned within five days after the ordering of the Recall election, then neither the proposition nor the name of the resigned alderman would appear on the ballots. Otherwise the votes for candidates will be canvassed only in the event that the recall proposition obtains a majority of the votes cast.

* * *

Comment and Criticism

Such in brief outline are the salient features of the modified city-manager plan proposed for Chicago. In respect to the administrative side of Chicago's government, the plan is a vast improvement over the existing complexity, divided authority and wasteful methods. It is undoubtedly true that the high salaried mayor-manager, responsible only to a small one-chambered council, and with full power to co-ordinate and unify the various administrative departments, would be capable of accomplishing great things *if the right man were chosen.*

The only question at this point is: what assurance have the people that the right man will be chosen? It is altogether commendable that the field of choice for this highest administrative office is not limited to the city of Chicago, but is the entire citizenship of the United States. However, it might be asked why the field of choice should be limited to this nation. If a person of superior attainments or abilities could be obtained from some

other part of the world, why should not the great city of Chicago be at liberty to utilize such talent? Not infrequently have large private corporations in this country drawn their executive managers from other nations.

As to the legislative side of this proposed plan of government, such sweeping approval cannot be given. It may be quite reasonable to expect that the smaller, one-chambered council, the members of which are elected for four-year terms and at substantial salaries, would command a higher grade of legislators and result in a more efficient legislative machinery. The fact that the Recall is made applicable to members of the council is especially appropriate in view of the length of the term, and will tend to guard against incompetent or corrupt members of the council.

So far, this plan means a decided gain for the people of Chicago. But this is far short of what it should be as to the legislative or policy-determining body. Why does the proposed charter omit the fundamental provision for direct control of the legislative policy by the voters through the Initiative and Referendum? This is going directly in the face of the recent trend of municipal organization, and of all government which presumes to stand for the fundamental principle of democracy. Is it not strange that a plan of government to be offered to the people of Chicago, at a time when the whole world is in a great struggle to maintain democracy, does not contain the recognized tools of democracy, namely, the Initiative and Referendum, which have been written into the constitutions or statutes of 44 states for municipal or state-wide use? It is not that the people of that city would expect to resort to these instruments of direct control frequently, but the possibility of their use could not fail to have a steadying influence over any body of legislators that might be chosen under whatever plan. We do not believe that the people of Chicago will stand for being deprived of this power to control their own affairs, or to do without what the President of the United States has so aptly termed "the gun behind the door."

In the opinion of those who are urging this city-manager plan for Chicago, it would endanger its possible enactment by the legislature and its subsequent adoption by the voters of the city to include provision for the Initiative and Referendum. We cannot, at our distance and without fuller knowledge of the

present political situation in Chicago, judge as to this question of political expediency. Much as we regard the importance of the Initiative and Referendum, if we were convinced that its inclusion in this bill would prevent the enactment and adoption of the proposed plan, we would distinctly favor obtaining so much of improvement and trust to a later opportunity to bring the Initiative and Referendum feature up for consideration separately and on its own intrinsic merits.

In this connection we are reminded of the experience of the city of Wilmington, Del., several years ago, when the voters rejected an otherwise good charter because the legislature had cut out of it the provisions for the Initiative and Referendum. Other cities have had a similar experience and many observers believed that the new constitution for New York state proposed in 1914 was defeated by the large labor vote because no provision was made for popular control by means of the Initiative and Referendum.

Now, under the pressure of a war for world democracy, is it not likely the people of Chicago may be getting a clearer vision of the problem of popular government and are seeing the need of the "tools of democracy?" If so, may it not be possible that the proponents of this charter are deceived and that the omission of the Initiative and Referendum may be the very thing that will cause the voters to reject it?

We do appreciate the delicacy of this question and do not doubt the good intention of the people who are pushing this new and vastly improved charter for Chicago. In view of the uncertainty as to the drift of the public opinion, we would like to suggest to all friends of good government that they ask the legislature to submit to the voters of Chicago a proposition for the Initiative and Referendum to be voted on separately but at the same time that the proposed charter is to be submitted. Thus the Initiative and Referendum could stand or fall on its own merits and the charter would not be endangered by being tied up with the instruments of direct control.

Thus all those voters who believe in the Initiative and Referendum for the sake of democracy and who like this plan of city government for the sake of efficiency and economy of administration would be able to vote in the affirmative. At the same time those voters who like the new plan but doubt the wisdom of the Initiative and Referendum could still vote for the plan. In

this way the maximum number of votes for the new charter would be obtained and both questions would be dealt with fairly.

This separation of a particular question from a proposed city plan has often been done and is perfectly feasible. We respectfully suggest this plan to the people of Chicago.

The same reasons of political expediency which have moved the sponsors of the proposed charter to omit the Initiative and Referendum have doubtless favored the retention of the existing system of majority representation through one councilman elected from each ward. They must know that some application of the proportional representation principle is now generally recognized by our foremost thinkers and statesmen to be more truly representative and more democratic. To this end we would suggest that the proposed council composed of 35 aldermen be elected in three groups, each from a geographical division, and that the city be divided into three districts for this purpose. These three districts need not be exactly equal in population or as to the number of representatives. Undoubtedly the best method of proportional representation is what is known as the Hare system, now in use in many parts of the world and in at least two cities of this country.[1]

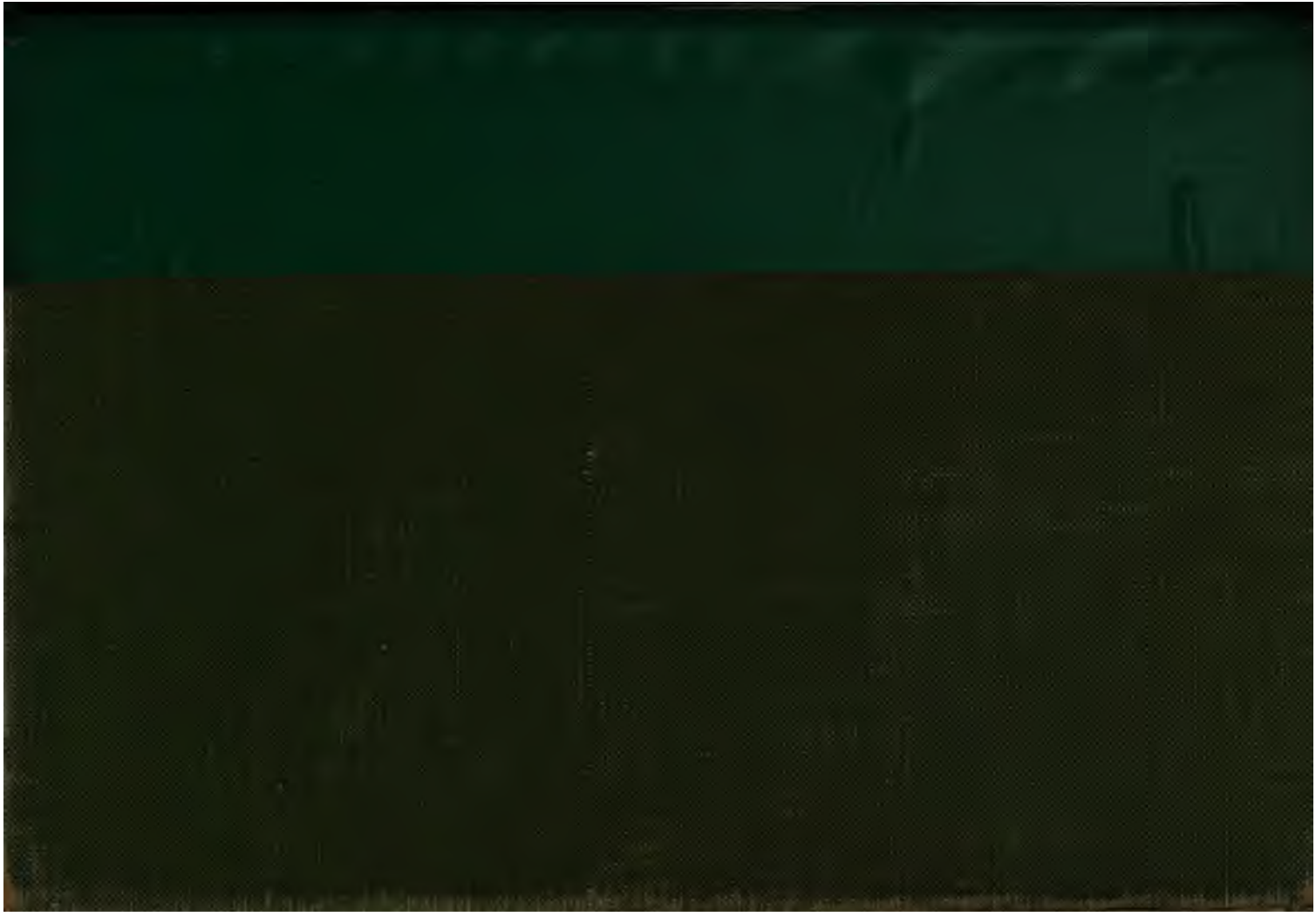
It is undoubtedly true that if the proportional plan were incorporated in the proposed Chicago charter the absence of the Initiative and Referendum would not be nearly so serious, although it would be the part of wisdom to have that means of direct control still in the hands of the voters. Also the recall of the aldermen would have to be applied on a far different plan, if indeed it were necessary at all. The proportional plan also might be submitted to the voters separately and thus further increase the support for the proposed charter.

In regard to the Recall there is one point which is open to criticism. That is, the provision giving the aldermen one year's immunity from the operation of the Recall. The precedents are very largely in favor of a shorter period of immunity—six months being the present standard. In a few cases the one

[1] NOTE: Anyone wishing to know more about the world-wide movement for proportional representation or who would like to obtain expert advice as to its application to any municipality should consult Mr. C. G. Hoag, the general secretary of the National Proportional Representation League, whose headquarters are in the Franklin National Bank Building, Philadelphia, Pa.

year period has been adopted, but we think that is an unnecessarily wide latitude for a municipal officer to have before being subject to popular rebuke.

In the proposed charter the handling of the question of public franchises is also open to serious criticism. In our judgment it is highly improper that the council should have the power, even by a two-thirds majority, to dispose of such important public interests in such a way as to leave no opportunity for the direct action of the voters through the Referendum. The section dealing with this subject does, it is true, provide for a 5% Referendum as to franchise grants which may be passed by only a majority vote and for a longer period than five years, but of what value is this limited use of the Referendum in case some powerful corporation is able to elect or control 24 members of the proposed council?

With the important modifications above suggested, this plan of organization would enable Chicago to rise in her majesty and take the lead in the nation-wide movement for both efficiency and democracy in municipal government.

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